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MAJ. GENERAL JOHN SULLIVAN

# HISTORY OF NEW HAMPSHIRE

BY  
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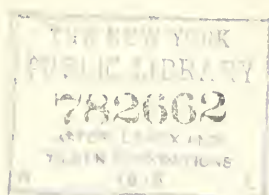
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## Chapter I

# THE SECOND FRENCH AND INDIAN WAR



## Chapter I

### THE SECOND FRENCH AND INDIAN WAR.

The Struggle for a Continent—The Indian Coas—The Coos Country—Killing of Sabatis and Plausawa—Jail Broken at Portsmouth—Capture of John Stark—Indian Attack on Stevens Town—Captivity of the Johnson Family—Convention at Albany and Plan of Union of the Colonies—Four Expeditions—Battle of Lake George—Robert Rogers and His Rangers—Indian Depredations along the Connecticut—Capture of Fort William Henry and the Massacre—The Scale Turns in 1758—Second Capture of Louisburg—Defeat of General Abercrombie and Death of Lord Howe—Capture of Crown Point and of Quebec—Destruction of the Village of the St. Francis Indians by Rogers—Road Cut through Vermont to Crown Point by Colonel Goffe—Capture of Joseph Willard and Family Ends Indian Depredations—Cost of the War to New Hampshire in Men and Money—Lotteries—Results of the War.

**I**T should be remembered that France and England long contended for the possession of North America, somewhat as the English and Dutch have fought for South Africa, and as the English and Germans are now fighting in East Africa for the possession of coveted lands for their colonies. By building a walled and heavily fortified city at Quebec, France early controlled the St. Lawrence river and by means of that Lake Champlain and later the Great Lakes and the upper valley of the Mississippi river. Their plan was to confine the English to a strip of land along the Atlantic ocean, east of the watershed, while they should control at least all that was drained by the two great rivers and their tributaries. Hence they built a chain of forts to defend possessions that had originally been opened up to them by Jesuit missionaries. Through the work of those missionaries they easily made alliances with various tribes of Indians, though the Mohawks, indeed the Six Nations, of New York, usually sided with the English, being the ancient enemies of the eastern Indians. Two different religions and two types of civilization were contending for the possession of a continent, and neither realized fully the vastness of the issues. If the hand of Providence guided the Pilgrims to Plymouth Rock,

it equally led to the capture of Crown Point, Montreal and Quebec, as well as Fort Duquesne.

The war which ended with the peace of Aix-la-Chapelle, in 1748, settled nothing in America. Louisburg was restored to France, and all things were left as they were before the war. There was only a suspension of hostilities, a truce in order that each nation might better prepare itself for the decisive conflict. The Indians seemed to feel thus and were restless, insolent and sometimes aggressive during the time of nominal peace. They had suffered little in their raids and had gained large sums by the sale of captives. The business of war was more to their tastes and more lucrative than that of hunting and trading furs for what the whiteman was pleased to offer.

At a council meeting held at Portsmouth, October 10, 1743, an Indian, called Coaus, elsewhere named as Captain Cowas, appeared as an agent for other Indians, to acquaint the governor that a truck house, or trading house, was desired near the river Pemigewasset, where they might sell their furs without being cheated, as they were in the lower towns. He also thought the Indians ought to have some satisfaction for lands occupied by the English, such lands having never been purchased. He wanted powder, shot, bullets, flints, knives, blankets, shirts, cloth for stockings, pipes, tobacco and rum. These could be disposed of at the trading house in exchange for furs. He was told by the governor that the king of England claimed the lands, but that he would see that justice was done. Coaus went away contented. Only three or four Indians claimed the land at Pemigewasset.

It may be that this Indian chief gave his name to the Coos country, heard of about this time as a place of wonderful fertility, although some say the word in the Indian language means crooked, which well describes the upper Connecticut river and also Captain Cowas. It was intervale land, in the valley of the upper Connecticut river where now are the towns of Haverhill, New Hampshire, and Newbury, Vermont. Petitioners from Newmarket, Kensington and Hampton desired that four townships be laid out for them in the Coos, or Cohass, country, on both sides of the river. Captain William Symes represented between four hundred and five hundred men who were desirous of settling

that country. The plan is unfolded in a letter from Theodore Atkinson to agent Thomlinson in London, dated November 19, 1752. "We are now," he says, "upon a Project of settling a Tract of the finest Land on the Continent, called by the Indians Co-os, which lyes upon Connecticut river about 90 miles northerly from the Province line." Two garrisons were to be built, with sufficient accommodations for five hundred men, and all the land under tillage would be within sight of the garrisons. Here abundance of provisions could be raised for an army marching to Canada. The intervale land extended along the river, on both sides nearly a mile wide and from thirty to fifty miles in length. It was feared that the French would take possession of this country and erect a fortress, that would be of more advantage to them than that at Crown Point. The land was generally clear, like a salt marsh. "The projection for our settling is—These 400 or 500 men is to have a suitable portion of land, on the King's quit-rent, land cut into townships, for them—2 of which, one on each side the river opposite to each other immediately taken into possession and a regular Garrison built in each of them, encompassing perhaps 15 or more acres of land, this to be enclosed, with log-houses at some distance from each other, and the spaces filled up with either Palisades or square timbers, in the middle of the square something of the nature of a Cytidall where the public buildings and granarys &c. will be built and to be large enough to contain all the inhabitants, if at any time drove from the outer enclosure, which is to be large enough to contain their cattle &c. These fortifications are to be built so as to assist each other on every occasion. They are to have courts erected and to have power of determining all civil causes amongst themselves and to be under a stricter military discipline than commonly our militia are." Two roads were to be built to Coos, one from Number 4, or Charlestown, along the Connecticut river, and the other from near the mouth of the Pemigewasset river, over the highlands. The scheme seems to have originated with Governor Benning Wentworth, who knew little about the geography of this region, as subsequent events proved.

The Indians quickly learned of this plan and did not approve it, doubtless being instigated by the French. A delegation of six St. Francis Indians went to see Captain Stevens at Number

4 and told him in most emphatic terms that if the English occupied Coos and built a fort there, it would mean that the English wanted war, and it would be a strong war. Soon there was a report that the French were building a fort at Coos, and a scouting party was ordered to learn the truth about it. No fort was built and the plan was abandoned.

It was in the year 1752 that two Indians, named Sabatis and Cristo, came to Canterbury, where they were entertained in a friendly manner for eight or nine days. On their departure they took away two negro slaves, one of whom escaped and returned; the other was sold by Sabatis to a French officer at Crown Point, for three hundred livres. These Indians claimed to be of the St. Francis tribe and said peace had not been made with them, thus justifying themselves for stealing the negroes. On the return of Sabatis, with one Plausawa, the next year to Canterbury the wife of James Lindsay, who had lost his negro, rebuked Sabatis for his ingratitude in robbing her after having received kind treatment, whereat Sabatis became insolent and threatening, brandishing hatchet and knife, telling her that if she said one word more he would split her brains out, if he died for it the next minute. The Indians were entertained for a night by one John, *alias* Anthony, *alias* Peter Bowen, who drank with them much fire-water and the next day followed them into the woods and killed them. John Morrill helped to bury them, but so shallow that their bodies were dug up by wild beasts and devoured. Their bones lay upon the ground by the roadside till the following spring.

Another account has been given of this incident, and it has been often reprinted. The Indians "had been in a surly mood and had used some threats to two persons who offered to trade with them that day, but became in better humor on being freely treated with rum by their host. The night was spent in a drunken Indian frolic, for which Bowen had as good a relish as his guests. As they became intoxicated, he fearing that they might do mischief took the precaution to make his wife engage their attention, while he drew the charges from their guns. The next morning they asked Bowen to go with his horse and carry their baggage to the place where their canoe was left the evening before. He went and carried their packs on his horse. As they

went, Sabatis proposed to run a race with the horse. Bowen suspecting mischief was intended declined the race but finally consented to run. He, however, took care to let the Indian outrun the horse. Sabatis laughed heartily at Bowen, because his horse could run no faster. They then proceeded apparently in good humor. After a while Sabatis said to Bowen—"Bowen walk woods,"—meaning "go with me as a prisoner." Bowen said, "No walk woods, all one brothers." They went on until they were near the canoe, when Sabatis proposed a second race, and that the horse should be unloaded of the baggage and should start a little before him. Bowen refused to start so, but consented to start together. They ran and as soon as the horse had got a little before the Indian, Bowen heard a gun snap. Looking around he saw the smoke of powder and the gun aimed at him. He turned and struck his tomahawk in the Indian's head. He went back to meet Plausawa, who seeing the fate of Sabatis took aim with his gun at Bowen. The gun flashed. Plausawa fell on his knees and begged for his life. He pleaded his innocence and former friendship for the English, but all in vain. Bowen knew there would be no safety for him while the companion and friend of Sabatis was living. To secure himself he buried the same tomahawk in the skull of Plausawa. This was done in the road on the bank of Merrimack river, near the northerly line of Boscawen. Bowen hid the dead bodies under a small bridge in Salisbury. The next spring the bodies were discovered and buried."<sup>1</sup>

This event produced great excitement among the whites as well as the Indians. Bowen and Morrill were arrested and sent to Portsmouth jail. The governor and council deliberated concerning this infraction of law and order. The neighbors and friends of the men under arrest came down to Portsmouth in disguise, broke open the jail, liberated the prisoners and took them back to Contoocook. Public opinion evidently was on the side of Bowen and could not endure that any whiteman should be imprisoned for killing Indians, who had themselves killed and robbed in that vicinity. No attempt was made to rearrest the rescued prisoners, and the affair was wiped out of the memory of

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<sup>1</sup> The above is evidently the story of Bowen and his friends. No Indian survived to tell the tale. See Coll. of Farmer and Moore, III. 27-29. Cf. Hist. of Boscawen, and N. H. Prov. Papers, VI. 301-7.

the Indians by the giving of presents at a conference held with them. This they called "wiping away the blood," but an Indian's memory is tenacious of supposed wrong received, and soon they sought opportunity for revenge.

The same year John Stark and his brother William, with David Stinson and Amos Eastman, went on a hunting expedition to Baker's river, in what is now Rumney. On the eighteenth of April they were surprised by a party of ten St. Francis Indians. Signs had been discovered of their nearness and the hunters were preparing to leave the place. While John Stark was collecting his traps, apart from the others, he was taken prisoner. His brother and Mr. Stinson were sailing down the river in a canoe, to whom he shouted, that they might make their escape. The Indians fired and killed Stinson, and Eastman ran into an ambush on the bank and was captured. William Stark alone escaped to tell the story. The name of Stinson is perpetuated in a mountain, pond and stream in Rumney. John Stark was beaten for alarming his companions. The Indians took him to their settlement at St. Francis, by way of the Coos valley and lake Memphramagog. He became quite a favorite with the tribe, who wished to adopt him, admiring his strength and courage. He had opportunity of learning their ways, which served him well soon after. He spent six weeks with them, when Mr. Wheelwright of Boston and Captain Stevens of Number 4 appeared as commissioners to ransom captives. Stark paid one hundred and three dollars for his liberty, and it cost Eastman only sixty dollars for his. It shows the Indian estimate put upon Stark, who was then but a young man. The two Starks and Eastman sent a petition to the governor, stating that they had been robbed of furs valued at five hundred and sixty pounds and that they had paid money for ransom, and asking for restitution, but none was ever paid. The province could not pay for every private loss, and there was no way of extorting money from the French and Indians, except by capturing some of them, which the English very much neglected to do. Stark's experience gained at this time enabled him to pilot the exploring company that went to Coos a year or so later. He seems to have enjoyed his captivity, and his fearlessness won him favorable attention. He refused to hoe corn and threw his hoe into the river, saying

that such work was for squaws. The Indians treated him all the better for this.

The attacks of the Indians upon Stevens Town, or Salisbury, seem to have been prompted by a revengeful spirit, because of the killing of Sabatis and Plausawa. On the eleventh of May, 1754, the family of William Emery having moved for protection into the more settled part of the town, his house was plundered and goods were damaged to the value of two hundred and thirty pounds, and the horse of Nathaniel Maloon, a neighbor, was found tied at Emery's door. It was found that Maloon, wife and four children had been taken away by Indians. Maloon was captured near Emery's house, and having no use for his horse, his captors tied and left the same. They obliged Maloon to call for his son in the field, Nathaniel Junior, aged thirteen, but the tone was one of warning, and the boy hid in the woods and escaped his pursuers. On his way to the fort he met Stephen Gerrish and told his story of woe. Gerrish at once went to Portsmouth with a petition for aid, and twenty men, by vote of the council, were sent to Stevens Town, Contoocook and Canterbury for defence of those towns. The Indians, however, already had their prey and were hastening toward Canada. Maloon's youngest child, only thirteen months old, was sick, and the Indians under pretense of giving it medicine, took it from its mother's arms, and the child was not seen again. The family were taken to Canada and sold to the French. Another child, Joseph, was born in captivity, November 20, 1755. Two years later Maloon, his wife and the three youngest children were shipped for France, but the ship was captured off Newfoundland by a British man-of-war, and the Maloon family were landed in Falmouth, now Portland, Maine, whence they made their way back to Stevens Town. Rachel was left in Canada till she was fourteen years of age, when she was rescued from the Indians, though she left them with great reluctance.

On the fifteenth of the following August the Indians again surprised East Stevens Town. Philip Call, who lived in what is now South Franklin, near the line of Salisbury, was at work in the field with his son Philip and Timothy Cook, whose father had been killed in 1747. Mrs. Call was struck down by a

tomahawk and scalped, as she met the Indians at her door. The wife of Philip Call, Jr., concealed herself and her babe in a hole behind the chimney and was not discovered. Timothy Cook was shot as he was attempting to swim the river, and Philip Call and son hid in the woods and escaped. The Indians, about thirty in number, also hid, and when a force of only thirteen men were sent from the fort the Indians arose from their ambush with whoop and seized Enos Bishop. The remaining twelve scattered and fled back to the fort without firing a gun. Bishop, together with Samuel Scribner and John Parker, who were captured while working in a meadow, was conducted in thirteen days to the village of the St. Francis tribe and all were sold to Frenchmen. Bishop soon wrote a letter imploring money for his ransom. Two years later he found a way of escape and arrived, half-starved, at Number 4, having been obliged to leave two companions on the way, who through hunger and fatigue were unable to go further. Bishop in 1761 returned to Canada to ransom a lad, Moses Jackman, taken four years previous from Stevens Town. A negro captured at the same time as Jackman, was sold in Canada and never was heard of more. Stevens Town was not disturbed again during the war.<sup>2</sup>

In response to petitions a guard of twenty men was sent by Governor Wentworth to defend the Connecticut valley, from Charlestown downward. This was commanded by Major Benjamin Bellows, who had purchased land in Walpole, and the detachment rendered service there principally. It was altogether insufficient, even with the help of the inhabitants, to defend that region. Before the force arrived, the family of James Johnson, who lived only a hundred rods from the fort at Charlestown, were seized and carried away. The victims were Mr. Johnson and wife, her sister (Miriam Willard), three children, Peter Larabee and Ebenezer Farnsworth. Some persons went out early in the morning and left the door unfastened. The Indians, lying in wait, rushed in. No gun was fired. The house was plundered and all its inmates were hurried away, except one who secreted himself behind a bed. The Johnson family were taken with all possible speed to Crown

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<sup>2</sup> Coffin's Hist. of Boscawen.

Point. On the way Mrs. Johnson gave birth to a daughter. The mother was carried on a litter, then on a horse, and when the horse was killed for food, she was borne on her husband's back. He was bare-footed, and all were but thinly clothed. The Indians were delighted to have another child for sale. The sufferings of Mrs. Johnson were almost beyond belief, yet she lived to a good old age. At St. Francis they were sold. Mr. Johnson, wife and youngest children went to Montreal, where he was allowed to return to New England on parole, in order to secure money for the ransom of his family. He was unavoidably delayed and after his return to Canada the money he had obtained was unjustly taken from him, and he and his family were cast into the criminal prison at Quebec. Here all had the small pox and recovered. Another child was born in captivity. After about three years of indescribable suffering Mrs. Johnson and her children were allowed to sail to England, whence they came back to New York and made their way to Charlestown by way of Springfield, Massachusetts. Here unexpectedly her husband rejoined her, having been released from his captivity. The oldest daughter remained in Canada several years, kindly cared for and educated by French ladies. The boy, Sylvanus, had been separated from his father and mother and taken on a hunting excursion, when he was seven years old. After some years he returned to Charlestown, almost transformed into an Indian in language, manners and tastes. Mr. Johnson was soon made captain in the army and was killed at Crown Point. The narrative of Mrs. Johnson, as written in her old age, is fascinating in its simplicity and beauty of style and in its adventurous character.<sup>3</sup> The government of New Hampshire granted to Susanna Johnson forty-one pounds in response to her petition.

The depredations above mentioned were committed in time of nominal peace. A congress of delegates from the several colonies as far south as Virginia was held at Albany, New York, to devise some plan of union both for offensive and defensive warfare against the French and Indians, and a conference was held with the leaders of the Six Nations. This plan had been suggested by the Earl of Holderness, then sec-

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<sup>3</sup> See Farmer and Moore's Collections, Vol. I.

retary of state in England, and was heartily endorsed by Governor Shirley of Massachusetts. Benjamin Franklin was one of the delegates to this congress, or convention, and wrote an account of it. The delegates of New Hampshire were Theodore Atkinson, Richard Wibird, Henry Sherburne and Meshech Weare. The substance of the plan of union proposed, as stated by Belknap, was, "that application be made for an act of Parliament to form a grand council, consisting of delegates from the several legislative assemblies, subject to the control of a president-general, to be appointed by the crown, with a negative voice; that this council should enact general laws, apportion the quotas of men and money to be raised by each colony, determine the building of forts, regulate the operation of armies, and concert all measures for the common protection and safety." This plan was agreed upon on the fourth day of July, 1754, precursor of that stronger and lasting union which was formed twenty-two years later, and Benjamin Franklin was a member of both conventions. This plan proved to be unsatisfactory. It was objected to in England because it seemed to give too much power to the colonies, long desirous for a larger measure of independence and self-government; Connecticut especially dissented because of the right of veto lodged with the president-general. A substitute plan, proposed by the British ministry, was that the governors of the colonies, with one or two members of the respective councils, should consult for the common defense and draw on the British treasury for sums expended, which should be raised by a general tax, laid by parliament, on the colonies. Yet they wished that a British army, officered by Englishmen, should conduct the war, assisted by such troops and rangers as the colonies could furnish. The British ministry did not want the colonies to feel their own power, but they were willing that they should pay all expenses of the war. How could militiamen contend against the regulars of France? What generals could America furnish to conduct the campaign? The honors of victory must be reserved for England.

Four expeditions were determined upon. First, General Braddock led his forces against fort Duquesne and in the course of his slow march was ambushed and cut to pieces, the skill

and bravery of Major George Washington saving only a remnant of the army, while General Braddock was slain. The second expedition was planned and led by Governor Shirley of Massachusetts, against the French fort at Niagara. The regiment of Sir William Pepperrell accompanied him and another from New Jersey, making up twenty-five hundred men. They marched from Albany as far as Oswego, where Shirley left a garrison of seven hundred and returned home. Another expedition was led by Lieutenant-Colonel Robert Monkton against fort Beausejour, on the Acadian isthmus that connects Nova Scotia with the continent. This was pronounced a military success. Nearly seven thousand peaceful inhabitants were transported and distributed all the way from Massachusetts to Georgia. Many of them eventfully settled in Louisiana. Families were broken up and untold sorrows came upon many a refugee. Longfellow has told the tale of their woes and affections in *Evangeline*. At this time were built forts Western and Halifax, at Augusta and Winslow, Maine, as a defense against expected raids on the Kennebec. The fourth expedition was under command of General William Johnson, who led the provincial militia of New England and New York against Crown Point. The history of New Hampshire is more immediately concerned with this, since five hundred men from this province took a prominent part therein.

Colonel Joseph Blanchard, agent and surveyor for the Masonian proprietors, commanded the New Hampshire troops. A second regiment, sent as a reinforcement, was under command of Colonel Peter Gilman. Governor Benning Wentworth had the conceit that he could tell the old wood-rangers of a shorter route to Albany and so ordered the troops to go to Canterbury and Stevens Town, whence they were to proceed to the Coos intervale, and thence across the mountains of Vermont to Albany. They got as far as Stevens Town, when by the urgent request of Governor Shirley they went down the Connecticut river to Fort Dummer and thence to Albany, having used up or left at Stevens Town most of their provisions. About four hundred men of Colonel Blanchard's command arrived at Albany the twelfth of August, 1755. Some sick had been left at Canterbury. The New Hampshire regiment was

posted at Fort Edward, to complete and defend it, while General Johnson pushed on, axemen hewing the way, to the foot of lake George, where he built fort William Henry. Theodore Atkinson wrote to John Thomlinson an account of the part New Hampshire men took in this expedition. On the eighth of September General Johnson was attacked in camp by Baron Dieskau, commanding French regulars, Canadians and savages. "In the engagement with General Dieskau about eighty of our men with about 40 Yorkers,—many of which last was of little service,—though others of them behaved well, I say this small party under the command of Captain Folsom [Nathaniel Folsom of Exeter] of New Hampshire, not of McGinnis as was at first mentioned, 'tis tho't kill'd more of the Canadians and Indians than was kill'd at General Johnson's camp; they continued an obstinate engagement with more than one thousand,—indeed all that retired from before General Johnson's camp—kill'd great numbers of the enemy, recovered about 1200 packs, beat off the enemy, carried their own wounded men to the camp. This engagement lasted about three hours, when night came on and the French and Indians went off & left all. After this our regiment were ordered to the Camp at Lake George & were never put upon duty but in the scouting way, which they performed in so acceptable a way that no duty but that was required of them. Some of our men had been several times down to the gates of Crown Point fort—once they kill'd and striped a soldier within a few rods of the gates & bro't off his scalp & General Johnson could or would have had no Intelligence had it not been for our men."<sup>4</sup>

Probably this is but a repetition of Captain Folsom's account of the exploits of his company. Captain McGinnis, perhaps, might have contributed a few more facts to history. Mr. Atkinson goes on to say that if the five hundred New Hampshire men had had four guns and marched directly from the Connecticut river to Crown Point, without going to Albany, they could have captured that fort without any other assistance, which might or might not have been. The saddest of all is that they did not do it. Dieskau was defeated, mortally wounded and captured in one engagement, yet General Johnson did not fol-

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<sup>4</sup> N. H. Prov. Papers, VI. 440.



won applause wherever the deeds of the northern army were made known. We shall cross his trail again.

A formal declaration of war was made July 3, 1755, and proclaimed upon the Parade at Portsmouth. A bounty of two hundred and fifty pounds was offered for an Indian scalp and three hundred pounds for a live Indian brought to Portsmouth by a person not in the pay of the government. Nobody claimed such a bounty. The fighting was left to the soldiers. Indian depredations continued wherever the frontiers could be most easily reached, either from Crown Point or the village of the St. Francis tribe. During the last of June an attack was made on the fort at Keene, then commanded by Captain William Symes. The savages were beaten off, but they killed many cattle and captured Benjamin Twitchell and took him to Quebec. Later he was ransomed but died before he could reach Boston. At Walpole Daniel Twitchell and a man named Flint were killed, while they were cutting timber for oars. One was scalped and the heart of the other was cut out and laid on his breast. At the same place Colonel Bellows and twenty men were returning from mill, each with a bag of meal on his back. Dogs warned them of the nearness of the enemy in ambush. The colonel ordered his men to throw down their meal, advance to a hill, give a loud whoop and drop into the sweet fern. The Indians were surprised and arose from their hiding. They were greeted with a volley that put them to flight, and Colonel Bellows' men returned to the fort without loss. A few days later a large force of Indians attacked the house of John Kilburn, in which were himself, John Peak, two boys and the wife and daughter of Kilburn. The leader of the Indians, named Philip, was well acquainted with Kilburn and called to him by name, offering quarter, "Quarter," he shouted in reply, "you black rascals, begone, or we'll quarter you." The Indians kept firing at the house for the whole afternoon, and the men in the garrison replied with deadly effect. The women gathered up the bullets that came through the roof and remoulded them, to be sent back. Peak received a ball in the hip, which for lack of surgical care caused his death a few days later. Kilburn was the first settler of Walpole and lived till his eighty-fifth year. Thus a large force of Indians was beaten off by

four men and two women. The Indian never rushed into danger. His strategem was to hide in ambush and kill without danger of being killed. He thought it foolish to throw away lives in charging upon a garrison house, or in meeting in open combat a force equal to his own, yet when forced to it by circumstances he could fight.

At Hinsdale a party at work in the woods was attacked, and John Hardiclay and John Alexander were killed, while Jonathan Colby was taken captive. Within a few days the Indians ambushed Caleb Howe, Hilkihah Grout and Benjamin Gaffield, as they were returning from the field. Howe was killed, Gaffield was drowned in attempting to make his escape, and Grout got away. The Indians went at once to Bridgman's garrison, and the inmates hearing the sound of their feet and supposing that their friends were returning from the field, opened the door and admitted the savage horde. Three families, consisting of fourteen persons, were carried into captivity. One of them was Jemima, wife of Caleb Howe, of whose captivity much has been written.<sup>6</sup> Eunice, the wife of Benjamin Gaffield, was sold to the French in Canada, was sent to France, thence to England and Boston. She married and lived to the age of ninety-seven.

The year 1756 found Governor Shirley planning another of his military feats, an expedition against Crown Point. A regiment of three hundred and fifty men was raised in New Hampshire, commanded by Colonel Nathaniel Meserve. Peter Gilman and Thomas Westbrook Waldron were appointed commissioners, to reside at Albany and look after the stores for the regiment. Nothing was accomplished. Shirley was superceded in command by the Earl of Loudoun. The French, under General Montcalm, in three days besieged and captured the fort at Oswego, and the regiments of Shirley and Pepperrell stationed there were sent as prisoners to France. A petition was sent from Charlestown, asking for defenders of their homes. This implies that the fifteen men, voted the year before, had not gone, or had been withdrawn. The petitioners were Josiah Willard, Benjamin Bellows and Isaac Parker. They stated that

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<sup>6</sup> See Humphrey's *Life of General Putnam and Green's Pioneer Mothers of America*, pp. 435-442.

the inhabitants were always kept in fear of being ambushed and their lives continually hung in suspense and doubt, from those who lie in wait to destroy; that they feared being suddenly dispatched or captivated by a barbarous enemy; that the very water they use is purchased with the hazard of their blood and their bread at the peril of their lives; and that such a life was most pitiable. They must have help or quit their homes. That meant a nearer frontier to be defended. No help could be sent. All available forces were elsewhere. Even six of the citizens of Charlestown were with the army at Crown Point. It was planned to build a strong fort on the highlands, between the sources of Black River and Otto Creek, in Vermont, so as to check the incursions of savages from that direction, their usual route. A surveying party was sent out, who went as far as the height of land, but no fort was built, nor was a road made at this time. On the eighteenth of June Lieutenant Moses Willard was killed while he was trying to extinguish a fire in his fence, and his son, Moses, wounded by a spear in the hip, fled to the fort, dragging the spear in the wound. Josiah Foster with his wife and two children was captured at Winchester and taken to Canada. The Indians also appeared at Hinsdale and wounded Zebulon Stebbins, who, with his companion, Reuben Wright, reached a place of safety and gave timely warning to others.

Lord Loudoun recognized the ability of the New Hampshire men as scouts and formed them into three companies of rangers, commanded by Robert Rogers, John Stark and William Stark. These companies were kept during the war, in the pay of the Crown, and after the war their officers were allowed half pay, as we are told by Belknap.

In the year 1757 another regiment was raised in New Hampshire, commanded by Colonel Nathaniel Meserve, with John Goffe as lieutenant colonel. Meserve took a part of this regiment to Halifax, one hundred of them being carpenters and the rest rangers. Goffe's command were ordered to rendezvous at Charlestown, on the Connecticut river, whence he marched to Albany and was posted at fort William Henry. Before his arrival at Charlestown, a party of seventy French and Indians made an attack upon the mills and captured Deacon Thomas

Adams, David Farnsworth and Samson Colfax. The enemy burned the mills and on their retreat next day captured also Thomas Robbins and Asa Spofford, as they were returning from hunting. Farnsworth, after some time spent in captivity, found a way of escape, roaming the forest many days with little food. Robbins was exchanged, and the rest died of small box at Quebec.<sup>7</sup>

Goffe's men with others amounting to twenty-two hundred were besieged in fort William Henry by General Montcalm, who had under his command eight thousand men, including nearly two thousand Indians, painted in vermilion, white, green, yellow and black, on their faces. After three days of bombardment Colonel Munroe, having lost three hundred men and more being sick of the small pox, surrendered. It was stipulated that his troops should march out of the fort with the honors of war, on parole of not serving again for eighteen months, and that liberty should be restored to all Canadian captives taken in the war. Montcalm had forbidden fire-water to be served to the Indians and did all in his power to restrain them from outrages. The Indians were thieving and aggressive; the English gave them all they had to satisfy them, among the gifts being some fire-water. This was passed around, and the Indians became uncontrollable. As the troops marched out, the Indians fell upon them, killed about fifty and made captives of four or five hundred more, stripping them of most of their clothing. Montcalm and other French officers rushed into the meleé at the risk of their lives and by prayers, menaces, promises and force put an end to the massacre. "One-third part of Colonel Meserve's regiment that were posted at Fort William Henry were either killed or captivated." So wrote Governor Wentworth to the Earl of Loudoun.<sup>8</sup> Out of two hundred eighty were killed or taken. The captives were ransomed by Montcalm at great expense and sent to Quebec, whence they took shipping for Boston. Many of them afterwards petitioned successfully for reimbursement for losses of property and injuries in this massacre and captivity.

The news of the massacre awakened wide-spread indigna-

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<sup>7</sup> N. H. Prov. Papers, VI, p. 609.

<sup>8</sup> N. H. Prov. Papers, VI., p. 609.

tion, and New Hampshire was ready to vote supplies and recruit more troops to reinforce fort Edward. Major Thomas Tash of Durham led two hundred and fifty to Charlestown. The French, however, did not follow up their victory and attack fort Edward, but retired to Canada, perhaps because of having lost confidence in their two thousand Indian allies. The year contained nothing but discouraging lack of success for the English forces, Fort William Henry was burned, and the bodies of French, British and savages slain were thrown into the consuming flames.

The scale began to turn in favor of England and the colonies in 1758. William Pitt was now at the head of affairs in the British government. He wrote to the governors of the colonies, asking them to furnish all the men they could and promising arms, tents, provisions and boats. The colonies were required to clothe and pay their men, with the hope that Parliament would compensate them. The Earl of Loudoun was recalled from his command in America, and General Abercrombie, not much better, took command of the forces operating in the vicinity of Crown Point. Major General Jeffrey Amherst began again the siege of Louisburg, assisted by General Wolfe, the soul of the army, wherever he was.

New Hampshire this year raised eight hundred men and they were commanded by Colonel John Hart, except a body of one hundred and eight carpenters, who went to Louisburg, commanded by Colonel Nathaniel Meserve. The small pox attacked all but sixteen of his men, and he and his eldest son died of this disease. But Louisburg fell to the British the second time, and to remain in the possession of England to the present day, after the complete destruction of this powerful fortress. In the west fort Duquesne was captured on the twenty-fifth of November and in honor of William Pitt the place was afterwards called Pittsburg. Lieutenant-Colonel John Bradstreet was allowed by General Abercrombie to cross lake Ontario with twenty-five hundred men, and they captured and destroyed fort Frontenac and shipping defended by only one hundred men. Abercrombie had for lieutenant Lord Howe, a military officer of great renown, who made up for the deficiencies of his superior in office. In the battle near Ticonderoga

a much smaller army under General Montcalm, with no Indian allies, defeated the army of General Abercrombie, with loss of nearly two thousand men on the part of the British. The saddest loss was the death of Lord Howe, whom William Pitt called "a complete model of military virtue," and General James Wolfe, in the generosity of his heart, declared to be "the noblest Englishman that has appeared in my time, and the best soldier in the British army." But these words were uttered in eulogy of the dead; men do not speak thus of the living. Massachusetts caused a monument to be erected to Howe in Westminster Abbey. The rangers, under Robert Rogers, John Stark and other captains rendered valiant service in this fight. Stark supped and conversed with Howe the evening before his death. Thus ended this year's campaign against Crown Point, with the fort still in the possession of the French. During this year the Indians were kept too busy at Crown Point to effect much mischief on the frontier of New Hampshire. Nevertheless, a roving band killed Captain Moore and his son at Hinsdale, burned his house and carried away his family. At Charlestown they killed Asahel Stebbins and captured his wife, Isaac Parker and a soldier. The following winter Charlestown was garrisoned with one hundred regular troops of the army, under command of Captain Cruikshanks, and all was quiet in the valley of the Connecticut.

General Amherst took command of the forces in the campaign against Crown Point in 1759, and New Hampshire contributed a regiment of one thousand men, under command of Colonel Zaccheus Lovewell, brother of the Captain John Lovewell who lost his life at Pequawket. Effort was made to get transportation to Albany by water, but this seems to have failed.

The regiment marched from Dunstable to Albany via Worcester and Springfield, Massachusetts. The Crown granted eight thousand pounds to the province for military expenses, and the provincial government voted men and supplies with alacrity. By the end of June General Amherst had assembled five thousand provincials and six thousand five hundred regulars at the head of Lake George, and five thousand troops had been dispatched, under Brigadier Prideaux, to take fort Niagara. The French blew up the fort at Ticonderoga and soon after aban-

doned Crown Point, retiring to Isle aux Noix, at the outlet of Lake Champlain. The sole purpose was to check the march of Amherst and prevent his reaching Montreal and Quebec. Amherst had no vessels for the transportation of his troops, and so the campaign ended in the vicinity of Lake Champlain. Meanwhile Prideaux had been slain, and Sir William Johnson succeeded him in command, who defeated the French and Indian forces sent against him and captured Niagara, the French retiring to Detroit. Thus the French possessions in the west were completely cut off from those in upper Canada. General Wolfe, who saw no value in block houses and a defensive warfare, captured Quebec after great difficulties and losses, and at the end the noblest man in each army, Wolfe and Montcalm, laid down their lives with equal patriotism and devotion.

The capture of Crown Point put an end to Indian raids from that direction. It was thought necessary to punish and break up the tribe of Indians at St. Francis, that had inflicted great sufferings upon the northern and western frontier of New Hampshire. For this purpose Major Robert Rogers was sent by General Amherst, with two hundred rangers, with special orders to spare women and children, notwithstanding former Indian barbarities, for in six years' time they had carried into captivity and murdered four hundred persons. Rogers sailed to the north of Lake Champlain and thence marched nine days through unbroken forest. Some sick and injured had to be sent back, so that he arrived at the village of St. Francis with one hundred and forty-two men, outmarching a pursuing enemy. From a tree-top, three miles distant, the village was discerned. The rangers crept up to within five hundred yards, left their packs, and half an hour before sunrise fell upon the unsuspecting savages, who the evening before had celebrated a wedding in high frolic. The Indians were shot down before they could arm themselves. Some fled to the river and were drowned or shot. The entire village was burned. Twenty women and children were captured, and fifteen of these were given their liberty. Two Indian boys and three girls were brought to Charlestown, where one of the boys, named Sabatis, recognized with joy Mrs. Johnson as the person who had been adopted into his father's family and greeted her as his sister.

Five English captives were rescued. Hundreds of scalps on poles ornamented the village. Of Rogers' men one was killed and seven were wounded. To evade a large force in pursuit it was decided to return by way of the Connecticut river. The provisions of corn taken at St. Francis failed after eight days, and at Lake Memphremagog the rangers were obliged to divide into small parties and to find their way home by different routes. Some were killed and captured by the pursuing enemy. Some perished of starvation in the woods. The provisions which Rogers had ordered sent to the Coos country were not found, since the men who brought them, on hearing the sound of guns, fled with the provisions. Major Rogers, Captain Ogden, who had been wounded, and a soldier proceeded on a raft, with great hardships, to Charlestown, whence provisions were sent back to the remnant of his company. Rogers was rewarded by being designated as the officer who should receive the surrender of the French posts along the Great Lakes, which he did, having an escort of two hundred troops.<sup>9</sup>

In the spring of 1760 General Abercrombie planned to approach Montreal by three different routes. One division of his army sailed up the St. Lawrence from Quebec; another came down the river from Lake Ontario; a third proceeded north from Lake Champlain. This division was reinforced by eight hundred New Hampshire men, under command of Colonel John Goffe of Derryfield (now Manchester). They had their rendezvous at Litchfield, whence they marched through Monson, (now Milford), Peterborough and Keene to Charlestown, making the bridle path into a road as they advanced. They crossed

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<sup>9</sup> It is lamentable that the subsequent career of this brave and resourceful officer was so clouded by dishonesty, dissoluteness and renunciation of allegiance to his native land. He was always in debt. As commander of the post at Mackinac he was given to drunkenness and debauchery. His wife, who was Elizabeth, daughter of the Rev. Arthur Browne of Portsmouth, obtained a divorce because of desertion and infidelity to marriage vow. He was suspected of being a spy at the beginning of the Revolution, and became a recruiting officer for the English army, in Canada and on the northern frontier. Finally he went to London and subsisted there on an officer's half-pay, dying May 18, 1795, with reputation little better than that of Benedict Arnold. He published an account of the deeds of his rangers and a metrical tragedy, called *Ponteach*, which the reviewers pounced upon unmercifully. He was a better fighter than writer. See *Reminiscences of the French War*, and *Ponteach; or the Savages of America*, by Allan Nevins. The last work is an exhaustive treatise on Rogers and his work, published by the Caxton Club, Chicago, 1914.

the Connecticut at Wentworth's Ferry, two miles above the fort at Charlestown, whence they cut a road for twenty-six miles directly toward Crown Point, following the course of the Black River. This took them forty-four days. Then they passed over the Green Mountain range to Otter Creek and followed the road cut the year before by Stark and his rangers. Their stores were brought in carriages as far as the mountain and then transported by horses. A drove of cattle for the army went with them to Crown Point. Twelve days after their arrival at Crown Point the New Hampshire men embarked and went down the lake. Colonel Haviland commanded this expedition. Little resistance was made by the French at Isle aux Noix, and forts St. John and Chambly quickly fell into their hands. The muster rolls show that about forty of Colonel Goffe's regiment deserted on the march to Crown Point, while many were left at stations on the way. Montreal soon capitulated to the united British army, knowing that their case was hopeless even if a battle were hazarded and won.

Thus was completed the conquest of Canada, and thereby the minds of the settlers on the northern frontiers of New England were freed from the anxieties and fears with which they had been filled for many years. Belknap made an unusual slip in saying that by the following treaty "the whole continent of North America remained to the British crown," for Louisiana and a country west of the Mississippi larger than that east thereof remained in the possession of the French, to be purchased by the United States of America many years later. After five hard campaigns the prize was won, a magnificent river and chain of lakes, with many miles of fertile lands both north and south, enough for an extensive empire. New Hampshire furnished her full share of troops and provisions for the war, and her rangers rendered service that was unexcelled. The colonies became united and felt their own strength. Men and officers received a military training that was of great value in the struggle for independence.

Before Colonel Goffe's regiment reached Charlestown the Indians carried off Joseph Willard, with his wife and five children. They were taken at their home on the edge of the Great Meadow, on the seventh of June, 1760. The youngest child was

a hindrance to the hasty retreat of the Indians, and so he was taken aside and his brains were dashed out against a tree. In fourteen days the captives arrived at Montreal, only a short time before its capitulation. With other prisoners they were quickly released. This is said to have been the last incursion of the Indians on the frontiers of New England, and the long history of murders, pillage, burning of houses and captivity here ends, and what a frightful and sorrowful history it had been! We read of it now with composure; the news of it from year to year was first received with horror, indignation and feelings that cried loudly for revenge. It was solely war for conquest and spoils, with no moral principles to support it. The colonies bore the hardships, to protect themselves and to add to the power and territory of the mother of us all,—perhaps it would be more accurate to say, the mother of *them* all. Even the descendants of the French, in the United States and in Canada, are now glad that Great Britain and the colonies were conquerors in the long and bitter fight. Thus greater peace and harmony often follow protracted and bloody war.

During the seven years of war the province of New Hampshire furnished five thousand men. At its close the militia were organized in ten regiments, nine being of infantry and one of cavalry. The last was commanded by Colonel Clement March of Greenland. The other colonels were, Theodore Atkinson, who later was promoted to be major-general, John Gage of Dover, Meshech Weare of Hampton, Daniel Gilman of Exeter, Zaccheus Lovewell of Dunstable, Josiah Willard of Keene, Ebenezer Stevens of Kingston, Andrew Todd of Londonderry and John Goffe of Derryfield. Nearly all of these continued in office for the next seven years. Colonel Lovewell was succeeded by Colonel Edward Goldstone Lutwyche, a retired lawyer, of Merrimack. He held command of the fifth regiment till the outbreak of the Revolution and then espoused the royal cause. His farm was confiscated, sold at auction and bought by Colonel Matthew Thornton, who gave his name to the present Thornton's Ferry.<sup>10</sup>

The war was an expensive one for New Hampshire. Between the years 1754 and 1762 bills of credit, or paper money,

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<sup>10</sup> Potter's Military Hist. of New Hampshire, pp. 258-260.

were issued to the extent of two hundred thousand pounds. The governor opposed many of the issues with some stubbornness, having been warned by an act of parliament not to assent thereto except in extraordinary emergencies. Governor Shirley helped him to see that the war was such an emergency. The House of Representatives were firm in their plans to raise money for the pay and equipment of the army by issues of paper money from time to time. Sometimes the governor would not sign the bills till messages and remonstrances had been interchanged, and the house knew how to combine bills, or "tack on a rider," to constrain the governor to yield. In 1755 paper bills of credit came first to be called "new tenor," of which fifteen shillings were equal to one dollar. The bills kept depreciating till other colonies would not accept them at all. At length sterling money became the basis of all contracts, and bills of credit were gradually redeemed by silver, at large and varied discounts.

One method of raising money advocated by the House was a tax of one penny per acre on all privately owned land. The Council opposed this because, as they said, the burden would come chiefly on the comparatively poor, but they were willing to so tax all *improved* land. Thus the large grants and reservations made to the governor and his friends, as well as to the Masonian proprietors, would escape taxation. To tax great tracts of land owned by wealthy officials in Portsmouth would be almost equivalent to confiscation.

A severe drought prevailed during the years 1761 and 1762, except in the valley of the Connecticut river, and the crops were insufficient to support the increasing population. In 1761 forest fires spread through the towns of Rochester and Barrington and into the county of York, Maine, destroying much valuable timber and raging for three weeks. A plentiful rain in August put an end to the conflagration.

In 1754 a bill passed the House for the suppression of private lotteries. The province had no scruples against lotteries when managed by proper authorities. Thus in 1757 a lottery was authorized to raise six thousand pounds, to open a harbor at Rye. The same year a bill passed both houses to allow a lottery for the purpose of building a bridge from New Castle to

Ferry Point. In 1759 a petition of Hunking Wentworth and seventy other inhabitants of Portsmouth was granted, enabling them by a lottery to raise money to help defray the expense of paving the streets of that town. Other lotteries were proposed in the House, to build bridges in Dover and from Stratham to Newmarket, but there is no record of concurrence in the Council. In times of financial stress especially such methods of raising money have been adopted, although it is well known that the propensity to gambling is thereby developed and that the poor and ignorant make the ventures and bear the losses. Such legalized robbery is now prohibited in most civilized nations. King George II. wrote to Governor Wentworth, June 30, 1769, that the effect of lotteries is "to disengage those who become adventurers therein from that spirit of industry and attention to their proper callings and occupations on which the public welfare so greatly depends." He added that private lotteries were occasions "of great frauds and abuses." Hence he forbade lotteries without special royal permission. This did not hinder President Wheelock from petitioning, in 1773, "to be empowered to set up a lottery for the benefit of Dartmouth College."<sup>11</sup>

Notwithstanding the poverty of the province, occasioned by the long war, in 1760 a fire in Boston, that rendered two hundred and twenty families homeless, appealed to human sympathy, and the House asked the governor to request the religious congregations throughout the province to contribute for the sufferers. The amount so raised was to be forwarded to the selectmen and overseers of the poor in Boston. The donations from the colonies and from England amounted to over seventeen thousand pounds. A similar generosity was shown by New Hampshire, in 1764, in granting three hundred pounds to Harvard College, to purchase books for the library, to replace those destroyed by fire.

The French and Indian war was ended in America in 1760, although the formal treaty of peace between Great Britain and France was made two years later, at Paris. By that treaty France ceded to Great Britain all Nova Scotia, or Acadia, Canada, the isle of Cape Breton and all other islands in the

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<sup>11</sup> N. H. Prov. Papers, VII., pp. 231-315.

gulf and river of St. Lawrence. The middle of the Mississippi was made the dividing line between French and British possessions in North America.

Even before the treaty settlers began to pour into New Hampshire, both east and west of the Connecticut river, at a rapid rate. The movements of the provincial troops had shown to many where the most fertile soil was. The construction of military roads invited many to the uplands. Woodmen's axes sang an antiphonal chorus all along the streams and highways. Grist was carried over one hundred miles to mill, but not for a long time. The small water powers were quickly harnessed, and the hum of industry was heard among the speaking pines. The financial burdens were easily and quickly lifted, and New Hampshire entered upon a period of prosperity, getting ready unconsciously for the great endeavor.

## Chapter II

# CONCLUSION OF GOVERNOR BENNING WENTWORTH'S ADMINISTRATION



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### CONCLUSION OF GOVERNOR BENNING WENTWORTH'S ADMINISTRATION.

Accession of George the Third—Recommission of the Governor—Petitions for and against a Play House—The Stamp Act—General Congress of the Colonies—George Meserve as Stamp-Master—Rejoicing over the Repeal of the Stamp Act—Incorporation of New Townships—Towns along the Connecticut—Complaints against the Governor—Defense of the Governor by His Nephew—His Resignation—Testimonial of the House—Work and Character of Governor Benning Wentworth.

THE death of King George II. and coronation of George III, were duly noticed by the Assembly in reply to the governor's speech. The new king was welcomed with ardent prayers, "that his reign may be long & prosperous." It was added, "When we meditate on the greatness of his mind [George II] his Catholick disposition, his Royal Beneficence, his Piety towards God & his other innumerable Princely Qualifications, more especially his affectionate Regard to & Paternal care of his North American subjects, & the great things he has done for us—The flood rises so high that we are forced to quit the mellancolly theme & look Forward to the happy prospect of the glorious Reign of his present Majesty King George the third to alleviate our sorrow."<sup>1</sup> This was in 1760; a few years later George the Third was not spoken of in such reverential and hopeful terms. His reign was long; in this the answer to their prayers seemed more than they could ask or think, for it stretched out to sixty years. It was not so prosperous, in the sense meant by those who prayed for the new king. His ministers soon began to take steps that led to alienate the hearts of his American subjects.

King George III issued a new commission to Governor Benning Wentworth, which was very much the same as the former one. The care of both for the Established Church is shown in the authorization "to collate any Person or Persons

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<sup>1</sup> N. H. Prov. Papers, VI. 762.

to any Churches, Chappels or other Ecclesiastical Benefices within our said Province as often as any of them shall happen to be void." This harmonizes with the reservation of a glebe in every town charter granted. "We do hereby likewise give & grant unto you full Power & authority by and with the advice of our said Council to agree with the Inhabitants of our said Province for such Lands, Tenements and Hereditaments as now are or hereafter shall be in our power to dispose of, and them to Grant to any person or persons for such Terms and under such moderate Quitrents, services & acknowledgments to be thereupon reserved unto us as you by & with the advice aforesaid shall think fit, which said grants are to pass and be seal'd by our seal of New Hampshire, and being entered upon record by such officer or officers as you shall appoint thereunto shall be good and effectual in Law against us, our Heirs & successors." Thus the many subsequent grants of towns and the conveyances of lands therein rest upon the authority of King George III of England. A perusal of the entire commission may surprise the reader by reason of the breadth of power conferred upon the governor of a royal province. No governor of a State, not even the president of the United States, has such power nor is so unrestrained in the exercise of his authority. All the unoccupied land of New Hampshire was at the free disposal of the governor. He was commander-in-chief of all military forces and surveyor of the forests. Not a pine tree could be cut, if he objected. He appointed all the judges and dismissed the House of Representatives at his will. The only check on his authority was that he could raise money by taxation only with the consent of the people themselves, through their representatives. Therefore he sometimes had to yield. Although afflicted with the gout, he could make himself agreeable, and sometimes sent such a message as this to the House, "His Excellency should be glad to wait on the Speaker & the house at his seat at Little Harbour to drink the King's health." Thus some arbitrary conduct might be wiped out of memory.

In 1762 petitions for and against the erection of a play house, or theater, in Portsmouth, were presented to the governor. Forty-five signed the petition in favor thereof, among them being many of the Wentworth family, as well as Matthew

Livermore, George Meserve, Robert Trail, and Jonathan Warner. Opposition to the play house was expressed by two hundred and twenty-two of the citizens of Portsmouth, including five selectmen and many prominent people. Their objections were that the war and subsequent famine made it necessary to husband all their resources, that curiosity would prompt the youth throughout the province to go to Portsmouth to spend the little cash they had, and that it would tend to dissipation and idleness. The House voted to address the governor in the following words, protesting against the proposed play house:

Because where such Entertainments are a novelty they have a moar peculiar influence on the minds of young people, greatly Indanger their morals by giving them a turn for Intriguing amusements and pleasure, even upon the best and most favorable supposition that nothing contrary to Decency & Good manners is Exhibited yet the strong Impressions made by the Gallantries, Amours & other moveing Representations with which the best Plays abound will dissipate and indispose the minds of youth not used to them, to every thing Important & serious, & as there is a General Complaint of a prevailing turn to pleasure & Idleness in most young people among us, which is too well grounded, the Entertainments of the stage would Inflaim that temper; all young countries have much more occasion to Incourage a spirit of Industry & application to business than to countenance Schemes of amusement and allurements to pleasure.<sup>2</sup>

These arguments would apply, with great force, to most exhibitions of moving pictures today, and who can say that they are unsound, although they may be unconvincing.

The stamp act has become famous in American history, because it roused the colonies to a sense of their rights and liberties and united them in common defense. The opposition that it awakened ran back and forth like lightning from Virginia to Massachusetts. The House of Burgesses of the Old Dominion "spoke out to Faneuil hall," and the answer was no uncertain sound. Such a tax was introduced into England in the reign of William and Mary. It had been proposed in Pennsylvania and Benjamin Franklin defended its justice. It was advocated in parliament by George Grenville, brother-in-law of the celebrated William Pitt, in 1764, and received the royal signature, March 27, 1765. Ostensibly the act was for "defray-

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<sup>2</sup> N. H. Prov. Papers, VI. 831.

ing the expenses of defending, protecting and securing the British colonies and plantations in America," but it was interpreted by Americans as a sly way of getting revenues to pay the expenses of Great Britain's wars in Europe. The colonies were willing to pay their own expenses, such as were voted and authorized by their own legislative assemblies. They were willing also to help enrich England by allowing her a monopoly of trade with the colonies and by receiving all their manufactured goods from the mother land. They objected to being taxed by parliament without any representative therein. It was a principle acknowledged by the unwritten constitution of England, a right wrested from opposing kings, that the people who paid the taxes should vote them by their representatives in the House of Commons. The colonists claimed that the varied houses of representatives in America had the same rights as the English House of Commons. "Taxation without representation is tyranny" was a cry, caught from the pen of James Otis, and heralded throughout the land. The press and pulpit denounced the scheme. Associations were formed, called "Sons of Liberty," to oppose it.

The Stamp Act put a tax, varying from three pence to six pounds, upon all legal and mercantile papers. "Every skin or piece of vellum or parchment, or sheet or piece of paper" on which was written, printed or engraved the acts of civil and ecclesiastical courts, must be properly stamped, or they were illegal. The diploma of a college or other educational institution must bear a stamp costing two pounds. An attested copy of any of the proceedings of a court was taxed ten shillings. A deposition paid one shilling. A bill of lading of any goods exported paid a tax of four pence. A governor's grant, as of a township, must bear a stamp worth six pounds. Every will, bond, deed, pamphlet, newspaper and advertisement had to pay a tax. There are fifty-five articles, each containing several specifications, in the Stamp Act. It was thought that the revenue arising therefrom would be sixty thousand pounds annually. One of the worst features of it was, that all legal proceedings arising from the execution of the law should be in a court of admiralty, to which offenders could be haled from one end of the land to the other, and where the judge decided

cases without a jury. Thus two sacred rights of Englishmen were invaded, the right of self-taxation through representatives in government and the right of trial by jury. The historian Bancroft thus sums up the effect of the Stamp Act: "The act seemed sure to enforce itself. Unless stamps were used, marriages would be null, notes of hand valueless, ships at sea prizes to the first captors, suits at law impossible, transfers of real estate invalid, inheritances irreclaimable, newspapers suppressed."<sup>3</sup>

A general congress of the colonies met in New York, October, 1765, to which New Hampshire sent no delegates, but the doings of the congress were endorsed by the House, at Portsmouth, November 22, in the following words, "Resolved and voted unanimously, That this House do fully approve of and heartily Join in the Resolves and several Petitions agreed upon by the said General Congress and that the Honorable Henry Sherburne, Esq., Speaker of the House, Clement March, and Meshech Weare, Esq., be a Committee hereby fully empowered to sign the same in behalf of this House." The resolves and petitions were forwarded to Barlow Trecothick and John Wentworth, then agents of New Hampshire in London, and they were authorized to employ counsel and use their utmost endeavors to obtain the favor and compassion of the king.<sup>4</sup>

Dr. Belknap, who was living at that time and well knew the feeling of the colonies, thus sums up public opinion: "The true friends of constitutional liberty now saw their dearest interests in danger; from an assumption of power in the parent state to give and grant the property of the colonists at their pleasure. Even those who had been seeking alterations in the colonial governments, and an establishment of hereditary honors, plainly saw that the ministry were desirous of plucking the fruit, before they had grafted the stock on which it must grow. To render the new act less odious to us, some of our fellow citizens were appointed to distribute the stamped paper, which was prepared in England and brought over in bales. The framers of the act boasted that it was contrived so as to execute

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<sup>3</sup> Hist. of United States, III. 106.

<sup>4</sup> N. H. Prov. Papers, VII., 92.

itself; because no writing could be legal without the stamp; and all controversies which might arise were to be determined in the courts of admiralty by a single judge, entirely dependent on the crown. This direct and violent attack on our dearest privileges at first threw us into a silent gloom, and we were at a loss how to proceed. To submit was to rivet the shackles of slavery on ourselves and our posterity. The revolt was to rend asunder the most endearing connections and hazard the resentment of a powerful nation."<sup>5</sup>

George Meserve of Portsmouth, son of Colonel Nathaniel Meserve who died in the second siege of Louisburg, was in England at the time when the Stamp Act was passed. It was thought that Americans would be the best collectors of revenues arising therefrom, and so Meserve was appointed as stamp-master for the province of New Hampshire. The law was to take effect November 1, 1765. Mr. Meserve arrived in Boston on the sixth of September; when he learned how Americans viewed the act and the excited state of public opinion, he at once resigned his office. The resignation, however, was not known in Portsmouth, and on the night of the eleventh an indignant populace placed in Haymarket Square a triple effigy, representing Lord Bute, George Meserve and the devil, and the devil was represented as whispering in Meserve's ear the following couplet:

"George, my son, you are rich in station,  
But I would have you serve this nation."

These effigies stood for a day; at night they were carried about town and then burned. On the arrival of Mr. Meserve, a week later, he made public his resignation of office, on the parade. This quieted the people for a while. On the last day of October the Portsmouth Gazette appeared with a mourning border, purposing to go out of business because of stamp tax. The next day was ushered in with a tolling of bells and the flags were at half mast. In the afternoon a funeral procession was formed, and the Goddess of Liberty was borne to her grave. At the last moment signs of life appeared in her; the bells began to ring; the drums that had been muffled beat a lively

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<sup>5</sup> Hist. of N. H. Farmer's Ed., p. 328.

air; and instead of the Goddess of Liberty was buried the Stamp Act. A similar spirit was displayed at Exeter.

The commission of George Meserve as stamp-master did not arrive till January, 1766. A delegation of the Sons of Liberty at once appeared at his house. He gave up the commission to them and Justice Wyseman Claggett administered to him an oath that he would not in any way attempt to execute the office. The commission was carried through the town on the point of a sword, and a liberty standard was erected at Swing Bridge, thereafter called Liberty Bridge. The motto on the flag was, "Liberty, Prosperity, and no Stamp." Mr. Meserve had shown his commission to the governor and other persons in office and it was feared that he would act as stamp-master, in spite of his former resignation. His commission and instructions were sent back to England, to the agents of the province, to be disposed of as they saw fit. Efforts were then being made for the repeal of the Stamp Act, and so the agents kept the commission quietly and wisely in their own possession.

The Stamp Act was repealed in March, 1766. The event was celebrated in Portsmouth on the twenty-second of May. "At early dawn all the bells began to ring; a discharge of cannon saluted the rising sun. A battery of twenty-one guns was erected near Liberty Bridge and dedicated to his Majesty. Another of thirteen guns was erected on Church-hill in honor of Mr. Pitt, and a third of five guns on the town wharf. The ships in the harbor were decorated with their colors; drums and military music contributed to the hilarity of the day. At 12 o'clock a royal salute was fired at Castle William and Mary, by order of the governor, which was answered by batteries in town. In the afternoon a grand procession was made through the principal streets, and a salute was fired at each of the batteries as they passed. Bells continued ringing through the day. In the evening a bon-fire was kindled on Wind-mill hill."<sup>6</sup>

Soon afterwards George Meserve petitioned the House, saying that he "had been most shamefully and scandalously insulted and abused and from repeated threats against him has been kept in constant fear of his life and property," and prayed the advisement of the General Assembly. A committee re-

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<sup>6</sup> Adams' Annals of Portsmouth.

ported that "they find no damages done his body or estate," and the petition was dismissed.<sup>7</sup> He afterwards went to England and obtained the office of collector of customs.

At the same time that the Stamp Act was repealed an act was passed in parliament, declaring that "the Colonies and Plantations in America have been, are, and of Right ought to be subordinate unto and dependent upon the Imperial Crown and Parliament of Great Britain," who had right to make laws and statutes of sufficient force to bind the colonies and people of America, and that any votes, orders and proceedings to the contrary in the colonies are utterly null and void to all intents and purposes whatsoever. The repeal was a matter of expediency only. The opposing principles remained the same in the minds of English rulers and of American colonists.

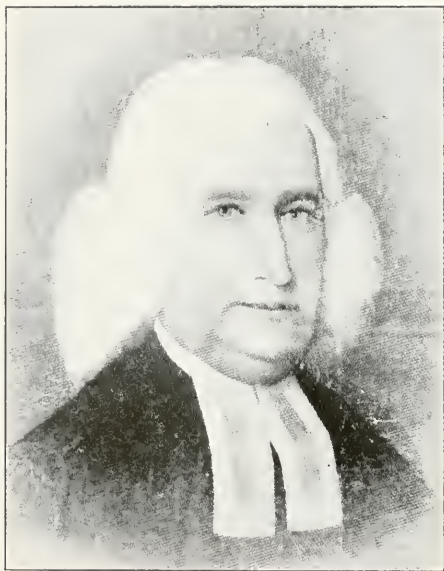
The granting of charters and incorporation of new towns went on briskly after hostilities ceased. In 1760 Bath was incorporated; in 1761, Campton, Canaan, Dorchester, Enfield, Goffstown, Grantham, Groton, Hanover, Holderness, Lebanon, Lempster, Lyman, Lyme, Marlow, Newport, Orford, Plainfield and Rumney; in 1763, New Boston, Haverhill, Croydon, Cornish, Thornton, Warren, Plymouth, Lancaster, Alstead, Peeling, Sandwich, Candia, Gilsum and Wentworth; in 1764, Claremont, Unity, Lincoln, Coventry, Franconia, Poplin, Lyndeborough, Weare, Piermont and Newington; in 1765, Raymond, Conway, Concord, Dunbarton and Hopkinton; in 1766, Deerfield, Burton, Eaton, Tamworth and Acworth. Some of these have been already mentioned, as well as other towns previously granted but incorporated at this time. The usual grant of five hundred acres to the Governor and of shares to his Portsmouth relatives and friends appears in these town charters. In some cases settlement did not immediately begin, and their charters lapsed, or were renewed later.

Claremont is the first town on the Connecticut river above Charlestown, or old Number 4. It was granted to Colonel Josiah Willard, Samuel Ashley and sixty-seven others October 26, 1764. The first meeting of the proprietors was held in Winchester, where some of them lived. It is written that Joseph Blanchard went up the Connecticut river by boat and

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<sup>7</sup> N. H. Prov. Papers, XVIII., 571-3.





ELEAZER WHEELOCK  
First Pastor of College Church at Hanover

at distances of six miles spotted trees, to be boundary marks of new townships. Claremont was named from the country seat of Lord Clive, in England. The first settlers were Moses Spofford and David Lynde, in 1762. Of all the grantees only three, named Ashley, ever settled in this town. Some came from old towns in Connecticut. A large water power on Sugar River has led to the development of manufactures of a varied character.

The next town north is Cornish, incorporated June 21, 1763. It was granted to the Rev. Samuel McClintock of Greenland and sixty-nine others, among whom are recognized many Portsmouth names. Only a few of the grantees settled here. The first to come were Deacon Dudley Chase and emigrants from Sutton, Massachusetts.

Next north of Cornish, on the Connecticut river, is Plainfield, granted August 14, 1761, to Benjamin Hutchins and sixty-five others, many of them from Plainfield, Conn., for which this town was named. Portions of the town, with part of the adjoining town of Grantham, were made a parish, called Meriden, June 23, 1780. Within this parish is situated Kimball Union Academy, incorporated June 16, 1813, endowed by Hon. Daniel Kimball with \$40,000. This is one of the best literary institutions of the State.

Lebanon was the first town to be settled north of Charlestown. It was granted, July 4, 1761, to persons from Lebanon and other towns in Connecticut. Among the first settlers were William Dana, Silas Waterman, William Downer, Nathaniel Porter, Oliver Davidson, Elijah Dewey and Jairus Jones. It has been a very prosperous town by reason of its manufactures and agriculture. Lead, iron and copper have been found here.

Hanover was granted July 4, 1761, to Edmund Freeman and others who came from Mansfield and other towns in Connecticut. Benjamin Davis and Benjamin Rice came in 1762. Dartmouth College was established here in 1770, when the Rev. Eleazar Wheelock brought his household, school and some neighbors from Lebanon, Connecticut, a company of seventy persons driving before them a drove of hogs. The college has made the town. Hanover Plains was formerly called Dresden.

Lyme, named from a town of the same name in Connecti-

cut, was granted July 8, 1761, to John Thompson and others. A settlement was begun in 1764 by William and John Sloan and Walter Fairfield. In 1770 there were twenty-one families in town.

Orford was granted, September 25, 1761, to Jonathan Moulton and others. The first settlers came from Connecticut. Among them were Daniel Cross, General Israel Morey and John Mann, who came in 1765.

Piermont was granted, November 6, 1764, to members of the House of Representatives, with other prominent men of Portsmouth. The House saw that the councilors and other friends of the governor were getting numerous grants of land and so made a request that they also have a share in the distribution.<sup>8</sup> Among the grantees twelve had the title Honorable, nine had military titles and twenty-eight were Esquires. The first settlement was made in 1768 by Daniel Tyler, Levi Root, and Ebenezer White.

Haverhill was settled by people from Haverhill, Massachusetts, and vicinity. It was granted by charter, May 18, 1763, to seventy-five persons. The leading men in the early development of the town were General Jacob Bailey, who came from Newbury, Massachusetts, and Capt. John Hazen. The first settlers were Michael Johnston and John Pattee from Haverhill, Mass. Here began the famous Coos meadows, cleared and cultivated by Indians long before Captain Peter Powers of Hollis led his exploring expedition hither, in 1754. The windings of the Connecticut river gave the intervalles the name Ox Bow.

Benton is a mountainous and agricultural town, lying between Haverhill and Woodstock. It was granted, January 31, 1764, to Theophilus Fitch and sixty-four others chiefly of Stamford and Norwalk, Connecticut. None of them settled in the town, then called Coventry. The name was changed to Benton December 4, 1840, in honor of Hon. Thomas H. Benton. Before the end of the eighteenth century the shares of the original grantees had been purchased, and General Nathaniel Peabody had thirty-four of them. The first settlers were Ephraim, Rachel and Silas Lund, Josiah Burnham and Pelatiah

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<sup>8</sup> N. H. Prov. Papers, VII., 56.

Watson, who came about 1777. Leading men in the development of the town were Major Jonathan Hale and Obadiah Eastman. In 1790 the population of the town was only eighty. A prominent man was William Whitcher, son of Chas. Whitcher of Warren and of the fourth generation from Thomas Whittier of Newbury and Haverhill, Massachusetts. He was justice of the peace, holder of almost all the town offices and father of sixteen children, besides being a local preacher in the Methodist church and preaching in barns, school houses and wherever he could find opportunity. At this time there was no church edifice in the town. As late as 1835 it was still a backwoods town, without post office or store, with poor roads and schools and about four hundred people. The people were struggling with poverty and developing great character and strength.

The principal mountain is Moosehillock, called by the Indians Moosilauke. A carriage road from Warren leads to the Prospect House at the top. Here the view is said to be about the broadest and finest in New England. Parts of Maine, New Hampshire, Vermont, Massachusetts, New York and Canada may be seen. On a clear day there are in view more than a thousand peaks of the White Mountains, Green Mountains and Adirondacks, several rivers and forty lakes, with a glimpse of the ocean. The mountain is five thousand feet high. A railroad passes through the southern part of the town, which seems destined to become a famous summer resort. Minerals abound such as garnets an inch in diameter, tourmalines, quartz crystals, lead and copper ores and marble.

Of these towns along the eastern bank of the Connecticut river more must be said in the history of the Vermont Controversy. The intervalles were specially fertile and easily cultivated, and settlers came in rapidly, on horseback along an old Indian trail, or in boats and canoes, carrying around the rapids and falls of the river. Further north, Bath, Lyman, Littleton, Dalton and Lancaster were settled a little later by enterprising people of the lower towns. At the same time the western bank of the river and neighboring intervalles were being settled, chiefly by colonists from Connecticut. Both sides of the river formed one growing settlement, and it is not surprising that they wished to belong to the same State. Bordering upon the New Hamp-

shire tier of towns was another, granted about the same time but settled a little later, after the river lands had been taken. This tier, beginning at the south, consisted of Alstead, Marlow, Acworth, Unity, Croydon, Grantham, Springfield, Enfield, Canaan, Dorchester, Wentworth, Warren, Benton, Landaff, and Lisbon, towns devoted to agriculture, sheep-raising, lumbering, some manufactures and especially the making of noble men and women.

Governor Benning Wentworth had been in office twenty-five years and was getting old and infirm. Some aspirants thought he ought to be removed to make a place for some other. Moreover, complaints were made about certain features of his administration. The nature of these complaints can only be inferred from the response to them, made by his nephew, John Wentworth, his successor in the governorship, who was in 1765 acting as one of the agents of New Hampshire in London. The defense was addressed to the Marquis of Rockingham. The charge of neglect of correspondence is answered by allusion to the governor's physical infirmity, the gout, and the uncertainty of conveyance of despatches sent by ship-masters. The second charge was his numerous grants of townships, with too vague a reservation of pine trees. To this the answer was that the object of granting crown lands to companies of sixty or eighty men was the speedy settlement of the province; that the conditions of clearing the land, building roads, erecting a meeting house and settling a certain number of families within a stated time, never longer than twelve years and the time prolonged by reason of the Indian wars, must be fulfilled, or the lands granted reverted to the crown. Thus the governor was only doing his duty and merited praise rather than blame. The third objection was more serious and more difficult to answer. It was, that the governor had received large sums for such grants, a reservation to himself of five hundred acres in each township, and the same names were inserted in different grants. John Wentworth replied to only a part of this. He could see no impropriety in the governor's reserving to himself five hundred acres in each township. "As he has not granted any particular privileges or exemptions to his part, he must comply with the general conditions that other grantees do, and consequently be as useful as

any other of them in promoting the cultivation of the wilderness; if this is effected, the end of government seems to be answered, & it cannot possibly be of any consequence in which of his majesty's subjects the property is vested, unless any one man has so much as to make him the object of future apprehension; against which distant inconvenience his attention to the interest of that country, as well as this, has also provided; by not granting large tracts to any single person; for it is very evident, that having small estates in different parts of the country will never give great power or influence; I confess it is beyond my penetration, why a governor who has served his Majesty faithfully & honorably 27 years, with a most inconsiderable precarious allowance from the impoverished colonists, should be the only one of his subjects excluded from the expected benefit of these lands, under such beneficial terms to the crown & community, or how this could be made or accepted seriously as a complaint." This looks like an evasion of the real issue and is not in harmony with the position subsequently taken by the writer, when as governor he claimed that the lands granted by Governor Benning Wentworth to himself were after his death the property of the king and could be regranted to others. Neither does he state the facts accurately in saying that the conditions of the governor's grants to himself were the same as his grants to others. His reservations of five hundred acres were always tacked on to the town charters and were not subject to any conditions. It is inconceivable that he ever intended to make any improvements or pay any taxes on such reservations in about one hundred and seventy-five towns. He intended, like the Masonian proprietors, to let others make the roads and clear and settle the lands, while he would gain the unearned increment in the future sale of his reservations. A few of them he sold, but his death and the political revolution prevented the fulfillment of his designs. He had more acres than most of the English nobility, and it was rather to his advantage that they were scattered in so many townships, where increase of population was sure to enhance their market price.

As for the complaint that the governor had received large sums for the grants he made it was replied that "of some he received no fees of office, and of others only such as their

restricted circumstances admitted without inconvenience," "too trifling to merit his attention, much more to prevail on him to do wrong." This is too indefinite. The governor built and furnished an expensive mansion, and the registry of deeds shows that he bought more land. One tract was an island in Island Pond, Hampstead, consisting of three hundred and fifty acres, where tradition says he had a house, whose ruins are now pointed out, but it is quite improbable that he ever dwelt there even for a short time. The property was in his name for over thirty years. The inconsiderable precarious allowance made to him by impoverished colonists, together with his income as surveyor of the King's woods and his fees of office, made him one of the wealthiest men in the province, and when it was found that he had willed all his property to his young wife, all his children having died, there was disappointment among other near relatives, particularly in the breast of the succeeding governor, who hoped and sought to get all those five hundred acre lots for himself.

As for the same names appearing many times in different grants, his explanation was, that "the head of a family may have four, five, or six children and as many white servants. He therefore gets his own name inserted as a grantee in as many townships, and as these people grow to a proper age, they are settled by his assistance, on these respective lots, none of them exceeding 360 acres, but a small reward at last, for a life of hard labor and danger in a wilderness, remote from the pleasures and conveniences of society." This statement contradicts the facts. Theodore Atkinson, brother-in-law of the governor, and his son had grants in scores of towns, and even after the death of this, his only son, the name of the father appears among the grantees of towns. Scarcely one of the men of Portsmouth, whose names appear so often in the grants of townships, had any intention of settling a son or a servant on lands thus obtained. Indeed not five per cent. of all the grantees ever did settle on the lands granted. They were simply land-grabbers and speculators. They sold out as soon as they could to real settlers.

Some thought that all pine trees should have been reserved, in the town charters. Mr. Wentworth shows that in such case

little land could have been cleared, and that some pine trees were of as little use for masts as apple and peach trees.

It comes out also in this defense of the governor that he had appointed three of his relatives to lucrative positions, that Theodore Atkinson and his son were two of the four deputies of the king's surveyor, and that the governor's brother, Mark Hunking Wentworth, father of the writer, was agent to the mast contract and the heaviest tax-payer in the province. The defense of the character and conduct of governor Benning Wentworth was a well meant expression of family respect, with no hope of securing for the governor further continuance in office. By what evidences the complaints against him were supported we have no means of knowing, but they were sufficient to persuade the powers in London, that a change was advisable. Indeed John Wentworth, when he wrote this defense, must have known that he himself was the logical candidate as successor to his uncle in the governorship. Benning Wentworth was permitted to resign in favor of his nephew,—an air-cushion to soften the force of his fall. This was in 1766, though the new governor did not arrive at Portsmouth till the following year. Governor Benning Wentworth died in his home at Little Harbor, October 14, 1770, aged seventy-five.<sup>7</sup>

Upon the governor's announcement to the House that his successor had been appointed, that body generously sent to him the following response :

The House in the Name & Behalf of their constituents would take the occasion to express their gratitude and give you their hearty thanks for all the signal services you have done this Province in the course of your administration and during the long time you have with such Reputation & Honor fill'd the Chair; for the steady administration of Justice, the quiet enjoyment of Property, the Civil and Religious Liberties and Priviledges his Majesty's good subjects of this Province have experienced and Possess'd during this Period.

That mildness and moderation with which you have conducted the Publick affairs justly Demand our acknowledgements; and we esteem it a peculiar felicity that by this means under the Divine Providence the Government has long been in a Peaceable state, and a good harmony subsisted among the several Branches; and it will doubtless furnish your Excellency with very pleasing Reflections that you quit the care & Burdens of Govern-

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<sup>7</sup> N. H. State Papers, XVIII. pp. 560-7.

ment and Resign the Direction of the Publick Affairs of the Province over which you have so long presided under such an agreeable situation.

We have only to add, That we sincerely wish your Excellency all the ease arising from Retirement from Business and the Pleasure Resulting from a Virtuous, Quiet Life.<sup>8</sup>

Speak nothing but good of the dead. The House could not have said so much in praise of Benning Wentworth earlier in his administration, when for two years there was a deadlock between them on a question of their respective rights and powers. He was an aristocrat, and his sympathies were with the wealthy class. The Stamp Act called forth from him no word of protest, neither did he openly oppose the people in their mob-like hostility to that act. He was too old and cautious to take sides with either party. He would not endanger his position in the favor of the king, nor would he willingly offend the masses of the people, among whom were many neighbors, relatives and friends. Therefore he never uttered a word against British encroachments on the liberties of the colonists. His tenacious maintenance of the prerogatives of the crown, vested in himself as governor, was overlooked and forgotten in the long French and Indian wars, which absorbed public attention. We read of no acts proposed by him, except such as the stress of the times demanded. If the king's councilors asked for more troops and supplies, he urged the House to raise them. He looked after the only fort, which was never molested, and the masts for the royal navy. There are numerous requests from him for a Provincial House, or governor's residence, and a State House for the Assembly. His greatest activity was in the granting of townships, in which his private interest was so prominent as to overshadow his zeal for the public good, and he was accused of favoring applicants from Massachusetts and Connecticut more than those from his own province. His reply was that the former were better agriculturalists. When almost all the inhabitants of the province were of the Congregational and Presbyterian order, he sought by unfair means to provide for the extension of the denomination to which he belonged, the Church of England. It can not be well denied, that in appointments to office he specially favored the Wentworth and allied

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<sup>8</sup> N. H. Prov. Papers, VII. p. 116.



GOVERNOR BENNING WENTWORTH



families, preferring men of wealth to men of brains and independent spirit. His will contains no benefactions for the public good. He can not be called a special friend of education. He opposed the plan for a College, unless it were put under the control of the bishop of London. Later he gave to Dartmouth College the five hundred acres of land that he had reserved for himself in the charter of Hanover. In private life and in business dealings he was honorable and just. The number of justices of the peace appointed by him,—twenty-five in Portsmouth alone in the first commissions he issued,—became a matter of jest and satirical verse. His dignity was learned by association in early life with Spaniards and was assumed, rather than inborn and masterful. His hospitality was generous and becoming to his station. His messages and correspondence, wherein he may have been assisted by his brother-in-law, Theodore Atkinson, Secretary of State, show good style and diction. Dr. Belknap concludes his estimate of the governor in these words. "The aim of most of those gentlemen who received their appointments from abroad was rather to please their masters and secure the emoluments of their offices, than to extend benefits to the people, or condescend to their prejudices. They did not feel their dependence on them as the source of power, nor their responsibility to them for its exercise."



### Chapter III

## ADMINISTRATION OF JOHN WENTWORTH THE SECOND



## Chapter III

### ADMINISTRATION OF JOHN WENTWORTH THE SECOND.

#### GATHERING OF THE STORM.

Reception of Governor John Wentworth—His Farm at Wolfeborough—Founding of Dartmouth College—Census of 1767 and of 1773—Division of the Province into Five Counties—Subsequent Counties—New Towns Chartered—Complaints of Peter Livius against the Governor—The Complaints Verified but the Governor Vindicated—Holland's Survey of New Hampshire—First Committee of Correspondence—Duty on Tea Resisted—Portsmouth Resolutions—Two Cargoes of Tea Reshipped to Halifax—The Assembly Dissolved by the Governor—They Continue to Act—Provincial Congress at Exeter—Contributions for the Poor in Boston—Message of Cheer Sent from Durham—Unpopular Action of the Governor—Message of Paul Revere—Capture of Powder and Guns at Fort William and Mary—Proclamation by the Governor—Second Provincial Congress—The Ships Scarborough and Canceau in the Harbor—Lord North's Conciliatory Proposition—The Assembly Rejects Three Deputies—Governor's Message to the House—Colonel John Fenton's Arrest—The Governor Seeks Safety at the Fort—His Journeyings till He Reaches England—Residence at Halifax as Lieutenant Governor of Nova Scotia—Character of Governor John Wentworth.

THE new governor rivaled in popularity his grandfather of the same name and far excelled his uncle, who had been permitted to resign in his favor. The illustrious family of Wentworth has had no worthier representative than he was. The date of his birth is not known, but he was baptized August 14, 1736, in Portsmouth, son of Mark Hunking and Elizabeth (Rindge) Wentworth, grandson of John Rindge, Councilor, who had advanced his own money to obtain a settlement of the boundary dispute in 1741 and was never reimbursed, so far as any record goes. He graduated at Harvard College in 1755 and received the degree of Master of Arts three years later from the same institution. His training after that was for a mercantile life, but his tastes led him to agriculture. He was acting as one of the agents of the province while his uncle's dismission was under consideration in London and there had

opportunity to form the acquaintance of influential men in the English government. His efforts contributed to the repeal of the Stamp Act and showed where his sympathies were at that time. On the eleventh of August, 1766, he was appointed governor of New Hampshire and at the same time surveyor of the king's woods in America. He sailed for Charleston, South Carolina, the following March and thence proceeded to Portsmouth, registering his commission as surveyor in the colonies through which he passed. He arrived in Portsmouth at one o'clock, on the thirteenth of June, and his Majesty's Council were assembled in the council chamber of the "Town House," by which is meant the new State House, to receive him. Two troops of horse escorted him, and a regiment of militia was drawn up on the Parade, awaiting his arrival. Here, probably from the balcony at the east end of the State House, was read his commission to a vast concourse of people, and his commission as Vice Admiral was also proclaimed. His Excellency then issued a proclamation, empowering all officers civil and military to continue in office till further notice. Then the cannon began to roar at fort William and Mary and from a special battery erected in the town. Three volleys of small arms were fired by the militia and three huzzas were given by the multitude, after which there was a banquet for the "Council, the Magistrates, and a great number of gentlemen." The bill for this reception was paid the following year, amounting to one hundred and seventy-five pounds.<sup>1</sup>

The province treated him with a generosity suited to their revenues. He was voted a salary of seven hundred pounds, an advance of two hundred pounds beyond what the previous governor had received, and sixty-seven pounds, later increased to one hundred pounds, were allowed him for house rent. Moreover, three hundred pounds were voted him for traveling expenses, and in 1772 a gratuity of five hundred pounds was voted by the House for eminent services rendered to the province; yet he asked for an increase of salary after all this, and for "a Province House in which the Governor can reside with comfort to himself and respect to the Government." This was in 1773, and he thought "the perfectly inconsiderable taxes"

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<sup>1</sup> N. H. Prov. Papers, VII., 163.

of the people warranted the expenditure.<sup>2</sup> In this connection may be mentioned a reception given in 1772, when the House and Council chose a joint committee, "to prepare some refreshments for his Excellency & such of his Majesty's Council and House of Representatives as shall be willing & can attend on his Excellency at his Majesty's Fort Wm & Mary, on the King's birth day & drink his Majesty's health there at the expense of the Province." Captain John Cochran's bill for entertainment on this occasion was twenty-four pounds, nineteen shillings and eight pence, and Samuel Gerrish was allowed two pounds and two shillings for boat hire, to carry legislators to the fort. This is the first junket on record in New Hampshire.<sup>3</sup>

Soon after his inauguration Governor Wentworth bought land in Wolfeborough for a country seat, to which he added, in 1770, two thousand seven hundred and seventy acres, bought of John Parker, the rights of seven original grantees. His estate was on the east shore of Smith Pond, now known as Lake Wentworth, tributary to Lake Winnepiseogee. The baronial estates of England had charmed him, and his desire was to found a similar one for himself and to encourage others to do likewise, rather than to aid agriculture among the small farmers. He sought to make Wolfeborough a half shire town with Dover, and from it he planned roads to Dartmouth College, to Montreal and Quebec. He shared with others the plan of connecting Lake Winnepiseogee with the Pascataqua river by means of canals. Fields were cleared and orchards planted. A park was made, and stocked with deer and moose. A mansion was built, one hundred feet long and forty feet wide. There were numerous barns and cottages for workmen. One end of the house was never finished but seems to have been designed for the holding of courts. "The principal room in the upper story was the East India chamber, the walls of which were covered with finely painted paper, representing life scenes in the East. Here was a white marble fireplace; on each side were niches in which to place statues. On the same floor were the Green Room and the Blue Room, thus named from the color of their finishings. Here also was the King and Queen's Chamber, which had

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<sup>2</sup> N. H. Prov. Papers, VII. 130, 146, 294.

<sup>3</sup> N. H. Prov. Papers, VII. 303.

a fireplace of gray marble and niches where stood the statues of the king and queen of England. In the lower story were the store-room, kitchen, dining-room, drawing-room and library. In the last named room was a black marble fireplace with a tile hearth."<sup>4</sup> It may be interesting to note that these many acres were bought for sixty-four pounds and fifteen shillings, or about twelve cents per acre. Here the governor spent his summers in baronial style, superintending the clearing of land, planting of crops, making of roads, and producing of fine breeds of horses and cattle. With another costly residence to maintain in Portsmouth for winters, it is not surprising that the governor informed the House that his salary was insufficient to meet his annual expenses. He thought it incumbent upon the farmers of New Hampshire to enable him to entertain his many friends and visitors with almost regal magnificence. This was the current idea of an honorable support of governors.

During this period was established in New Hampshire an institution of learning destined to exert a wide beneficent influence over the future nation. It had its origin in a school for the education of Indians, to be missionaries among various tribes. This was first established, by Dr. Eleazer Wheelock, in Lebanon, Connecticut, who took up the work begun by Mr. John Sergeant at Stockbridge. It was thought that by separating Indian youths from their uncivilized surroundings and educating them in the English language, they would be introduced into a new world of thought and activity, elevating their standard of religion and morality. Many benevolent persons were impressed by this idea and contributed funds for the maintenance of the school, both in this country and in England and Scotland. The money collected in England was put into the hands of trustees, of whom William Legge, Earl of Dartmouth, was the leading spirit, from whom the institution, after its removal to Hanover, took its name, Dartmouth College.

As early as 1762 Mr. Wheelock came to Portsmouth, at the invitation of Henry Sherburne, who was interested in the work. Then talk began about the removal to New Hampshire, and grants of land and other assistance were sought. The Council and House voted aid to the extent of fifty pounds annually for

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<sup>4</sup> Parker's Hist. of Wolfeborough, p. 83.

five years, but the measure was vetoed by Governor Benning Wentworth, through denominational prejudice. A year later the governor assented to an appropriation of fifty pounds for one year and gave his reservation of five hundred acres in Hanover, on which the buildings of the college were erected. Several towns made efforts to draw the college to themselves, among them Orford, Haverhill, Plymouth, Rumney and Campton. Some of these towns offered five thousand acres of land. Several other towns on the Connecticut bid for the college, such as Piermont, Lebanon, Plainfield, Claremont, Charlestown and Walpole, besides some towns on the opposite side of the river, in Vermont. All felt that the college would help the growth of the town in which it was located. Governor John Wentworth favored the college throughout his administration and attended its first commencement. He also wanted the Bishop of London to be one of the Trustees, but there were serious objections to this. After long search and correspondence the college was chartered December 13, 1769, with twelve trustees, five of whom were of New Hampshire, viz., Governor John Wentworth, Theodore Atkinson, who was secretary of state, George Jaffrey and Daniel Pierce, who were members of the governor's Council, and Peter Gilman, who was speaker of the House. The other trustees, besides Dr. Wheelock, were from Connecticut. The infant college had an endowment of a tract six miles square, now the town of Landaff. Other lands were given through private beneficence, and money and material were contributed for the erection of buildings. The college began its career with twenty-four students, eighteen being whites and the rest Indians. A class of four graduated in 1771, viz., Levi Frisbie, minister at Ipswich later, Samuel Gray, native and resident of Windham, Connecticut, Sylvanus Ripley, afterward professor of divinity at the college, and John Wheelock, who succeeded his father in the presidency of the college and filled that office from 1779 to 1815. A district three miles square was put under the jurisdiction of the college, and the president was made a magistrate. The province granted him a salary of sixty pounds and in 1773 five hundred pounds for a new building.<sup>5</sup>

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<sup>5</sup> See the full and excellent Hist. of Dartmouth College, by Frederick Chase, edited and continued by John K. Lord; also N. H. Prov. Papers, VII. *passim*.

A census taken in 1767 showed the population of the province to be fifty-two thousand seven hundred. The most populous towns, in order, were Portsmouth, Londonderry, Exeter, Dover, Epping, Hampton Falls, Durham and Chester. A more complete census was made in 1775, when the total population was 72,092, and the most populous towns, in order, were Portsmouth, Londonderry, Exeter, Dover, Barrington, Chester, Epping, Rochester, Amherst, Newmarket, Hollis and Durham. In 1767 six hundred and thirty-three slaves were reported, and in 1775 there were six hundred and thirty-two, of whom one hundred and forty were in Portsmouth.

The growing population of the province and the great distance of many towns from the seat of government, occasioning inconvenience and expense of travel, created a wide spread demand for a division of the province into counties. Unsuccessful efforts to obtain such division were made during the administration of Governor Benning Wentworth. The efforts were at once renewed by the people and the House on the arrival of the new governor. The Council always had objections to the proposals of the House. When the House sought three counties, the Council said two; when the demand rose to five counties, the Council replied, three. When all were agreed as to number, then there was difference of opinion as to dividing lines. After all had been settled by both House and Council, several towns asked to be transferred to an adjoining county. The governor and Council wanted the House to fix a salary for the judges; this the House refused to do till the division into counties was made. At length, in 1771, the province was divided into five counties, which the governor is said to have named from English noblemen, with whom he had become acquainted. The governor was in doubt whether the counties should be created by an act of the General Assembly or by the governor and Council. The House expressed themselves on this point with no uncertain sound: "We have always understood the sentiments of former Assemblys on this point to have been, that this measure could not be effected but by an act of the three branches of the Legislature of the Province. But whatever hath been the sentiments of former Assemblys on this point, the present House, after mature deliberation on the subject, are of

opinion that an act of the General Assembly is necessary to effect any alteration in the present jurisdiction of the several Courts of Justice in the Province, as the said Courts & their Jurisdiction now & for many years have been settled by Acts of the General Assembly of the Province confirmed by the Royal assent, which Acts can in no wise consistent with the Constitution of his Majesty's Government here be repealed, annulled or altered by the Governor & Council, which is the necessary Result & Consequence of any Division of the Province, or any new Countys, new Courts, or new Jurisdiction, being erected therein, without an Act of the General Assembly."<sup>6</sup> The governor obtained express permission from his Majesty in Council before announcing the division of the Province into counties. Because of the sparse population of Strafford and Grafton counties it was decided to let them remain attached to Rockingham county, till the governor and Council should declare them independent, which decision was reached in 1773. The House voted a salary of sixty pounds to the Justices, with an additional five pounds to the Chief Justice.

At this time the governor's councilors, appointed by the king, but doubtless at the governor's suggestion, were Theodore Atkinson, Daniel Warner, Mark H. Wentworth, Peter Livius, Jonathan Warner, Daniel Rindge, George Jaffrey, Daniel Rogers, Peter Gilman, Thomas W. Waldron and Paul Wentworth, eight of them being residents of Portsmouth and as many being related by family ties to the governor.

Rockingham county was named for Charles Watson Wentworth, Marquis of Rockingham. The shire towns were and still are Portsmouth and Exeter. The records were removed to Exeter for safety in 1775, and the Province records, by vote of the state, were removed thence to Concord, in 1897, where they have been finely indexed. They are a mine of information to seekers of genealogical and historical data. Rockingham county contained in 1773 forty-five towns. There were seven thousand one hundred and seventy polls and rateable estates to the value of £10,528. The Justices of the Superior Court were Theodore Atkinson, Meshech Weare, Leverett Hubbard and William Parker, and George King was the clerk. The Justices of the

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<sup>6</sup> N. H. Prov. Papers, VII. 178.

Inferior Court of Common Pleas were Daniel Warner, Clement March, John Phillips and Christopher Toppan, and the clerk was Isaac Rindge. There are now but thirty-seven towns in this county, since the formation of Merrimack county.

Strafford county was named for William Wentworth, Earl of Strafford, and Dover was made the shire town, with the hope that Wolfeborough would at some time share the honor and privilege. There were in 1773 twenty-one towns, having two thousand three hundred and twelve polls. It now contains thirteen towns. The Justices of the Inferior Court of Common Pleas were John Wentworth of Somersworth, George Ffrost, Otis Baker and John Plummer, and the clerk was Ebenezer Thompson.

Hillsborough county was named for the Earl of Hillsborough, one of the privy council of George III. There were thirty towns, besides the Society Land. The shire towns have been Amherst, Hopkinton, Manchester and Nashua. The county records are kept at Nashua. The Justices of the Inferior Court of Common Pleas, in 1773, were Matthew Thornton, Samuel Hobart, John Shepard and Samuel Blodget, and the clerk was Stephen Holland.

Cheshire county contained thirty towns in its beginning and now has twenty-three. Keene is the shire town. The first Justices of the Court of Common Pleas were Daniel Jones, Samuel Ashley, Elisha Marsh and Benjamin Bellows, and the clerk was Simeon Jones.

Grafton county was named for Augustus Henry Fitzroy, Duke of Grafton. Its shire towns are Plymouth and Haverhill. It had nineteen towns in 1773 and now has thirty-nine. The first Justices were John Hurd, Asa Porter, David Hobart and Beza-leel Woodward, and the clerk was John Fenton.

Coos county, formerly the northern part of Grafton county, was incorporated December 24, 1803. It contains twenty-six towns, the shire towns being Lancaster and Colebrook. Here are the loftiest mountains of New England, including the presidential range. The largest asset is the influx of summer tourists and boarders, though in the lowlands, along the rivers and streams is very fertile land. The county has an area of one million acres.

Merrimack county was taken from the counties of Rockingham and Hillsborough and incorporated July 23, 1823. The shire town is Concord, and the county contains twenty-seven towns. Its name is derived from the river that flows through it.

The northern part of Cheshire county was incorporated as Sullivan county July 5, 1827, and named in honor of General John Sullivan. It has fifteen towns, the county seat being Newport.

Belknap county, originally a part of Strafford county, and named in honor of Dr. Jeremy Belknap, the historian of New Hampshire, was incorporated December 22, 1840. It has eleven towns, the shire town being Laconia, formerly Gilford. Its northeastern boundary is Lake Winnipiseogee and Carroll county.

Carroll county was incorporated the same day as Belknap county. It was originally the northern part of Strafford county. It has seventeen towns, and the county seat is Ossipee.

Many towns received their charters during the administration of Governor John Wentworth, but they were granted before his time and have been already mentioned. Among the grants of 1771 were Berlin and Milan, both granted to Sir William Mayne and a company of gentlemen, said to have been of Barbadoes. Berlin was granted under the name of Maynesborough and was incorporated, July 1, 1829, under its present name. Milan was Paulsburg till December 16, 1824, when it was incorporated by its present name. Berlin has become a thriving and prosperous place because of its production of wood pulp.

Franconia was granted as Morristown, February 14, 1764, and was incorporated in 1772 by its present name. It has become well known for its scenery and summer hotels. Breton-Woods was granted, February 8, 1772 to Sir Thomas Wentworth and others, many of whom were of Portsmouth. It was incorporated as Carroll June 22, 1832. Additions have since been made. Dummer was granted March 8, 1773, to Mark Hunking Wentworth, father of the governor, and others of Portsmouth and vicinity. It was incorporated December 19, 1849, and a part of Stark was annexed in 1868. Shelburne was granted, May 3, 1769, to Mark Hunking Wentworth, Daniel

Pierce, Daniel Rogers, John, Daniel, Isaac and Jotham Rindge, all related to the governor. It was regranted with additions November 21, 1770. It was incorporated December 13, 1820. Shelburne Addition was incorporated as Gorham June 18, 1836.

Stratford was granted June 26, 1762, by Gov. Benning Wentworth, to John Prindle and others and was incorporated under the name of Woodbury. The charter was renewed January 15, 1770. It was granted May 26, 1773, to Joshua Wentworth and others and incorporated as Stratford. It was reincorporated November 19, 1779.

Deering was a part of Society Land, or Cumberland. It was incorporated January 17, 1774 and was named for the wife of Governor John Wentworth, whose maiden name was Frances Deering Wentworth. Francestown named also for her was incorporated June 8, 1772. John Carson had settled there as early as 1760, when it was known as New Boston Addition.

The town of Percy, named probably for the king's chaplain, Thomas Percy, was granted August 3, 1774, to Jacob Walden and others. The name was changed to Stark December 28, 1832, in honor of General John Stark.

Success was incorporated in 1773; Warner, Nelson, Stoddard, Errol, Kilkenny, Millsfield and Whitefield, in 1774, though some of them had been granted before; Washington and Marlborough in 1776.

It may be noticed that Governor John Wentworth was as careful to name his relatives and friends in grants of land as his predecessor had been. He also reserved one share for a glebe for the Church of England, one share for the first settled minister, and one for a school. Complaints were made to the king about the unfair granting of lands in the colonies, which led him and his Council, in 1773, to forbid all the governors in America to make further grants without express permission from the king.<sup>7</sup>

It seems that Governor John Wentworth expected to inherit the property of his uncle, the preceding governor, and when a late will was unexpectedly found bequeathing all Benning Wentworth's property to his young widow, there was disappointment, and a way was sought whereby the five hundred

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<sup>7</sup> N. H. Prov. Papers, VII., p. 320.

acres in each of nearly one hundred and seventy-five townships, which the former governor, in making grants of towns, had reserved unto himself, might become the possessions of his successor, for the reservations were made unto himself, his heirs, or successors. The governor raised the question in his Council whether the reservation, in the charter grants, conveyed the title to Benning Wentworth, and the Council, seven of whom were the governor's relatives, answered this question in the negative. Then he asked them whether they would advise him to regrant those five hundred acre tracts to such of his majesty's subjects as should settle and cultivate the same. They so advised, but one of the Council was Peter Livius, and he thought that this was an indirect way of gaining those tracts for the governor. They could easily be granted to private persons with a secret or tacit understanding that they should be held for the governor or sold back to him for a nominal price. Peter Livius, Englishman, had married a daughter of John Tufton Mason, settled in Portsmouth and been one of the Council. He was a man of wealth, built a bridge in Portsmouth, owned shipping and carried on extensive business. He had three slaves and lived in considerable state in what was then called the White House, still standing. He had been one of the Justices but when the division of the province into five counties took place, somehow he was left out of the number of Justices. This may have had something to do with his complaints against the governor, yet there was a basis in fact for the complaints. He sailed for England in July 1772 and there brought his accusations against the governor and Council to the attention of the Lords of Trade.

The complaints in full and the replies to the same may be studied by those interested, in the Province and State Papers of New Hampshire. The complaint of chief interest is as follows:

In the beginning of March, 1771, the present governor proposed to his Council to advise & consent to the granting to himself, but thro other persons, all the lands which had been as afore said granted to his predecessor, alledging that the former grants, being made immediately to the late governor, were void, and the lands remained as if no grant had ever been made of them. Your memorialist observed to him that it would appear very strange on the Journals, that the governor should desire these grants for himself. The Governor allowed that it would and added that therefore the

entry need only be, that the Council did advise and consent to the granting these lands to any of the King's subjects. Your memorialist made this observation in hopes that the governor would have felt the impropriety of doing what he allowed unfit to appear when done, but he did not seem to feel it, and in answer to some objections concerning the invalidity of the former grants, he ordered to be read a long reasoning & opinion of a lawyer at Boston against the grants. Your memorialist then observed that although the Council had no legal power to give judgment in such cases, yet (if they would assume the power) your memorialist desired that as they had in effect heard counsel on the one side, they would also suffer counsel on the other. This was refused and at subsequent day it was voted as the governor desired. That all the Council (your memorialist excepted) were nearly connected and related to the governor. That it appeared to your memorialist a very extraordinary case, that the title of the King's subjects should be thus prejudiced without judge or jury, without trial of any kind, without hearing or even giving her notice, when at the same time counsel was admitted against her. That your memorialist therefore thought it his duty to protest, but his protest was never suffered to be entered on the Journals, nor even to be put on file till twelve months after.<sup>8</sup>

There can be little room for doubt that this is a true statement of the facts in the case. There was a lot of talk in the Council and out of it that was never recorded. Hence depositions that appeared in the case, quoting the precise words of the public records of Council, weigh but little. Mr. Livius made a mistake in saying that the five hundred acres in each township were granted to the late governor on the same conditions with the other grantees. They were not; they were a reservation at the very end of each charter and without any condition. But in the reply to Mr. Livius this point was seized upon, and it was urged that as no improvements had ever been made on said reservations, therefore the grants had lapsed, as in all other such cases, and could be regranted to any of the king's subjects. But this was an afterthought; the original ground of the action of the governor and his council was, that a grant made by the governor, as the king's agent, to himself was invalid after the death of the governor, and the land reverted to the king. The lords of the committee reported to the king in council that "the lands granted to the late governor were granted in the name of the king, which was sufficient to convey a title and that the Council was mistaken in thinking otherwise." By this decision the five hundred acres in each township were held to belong of

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<sup>8</sup> N. H. State Papers, XVIII. 624.

right to Martha, widow of Benning Wentworth. There is no evidence that governor John Wentworth ever regranted any of such lands to anybody. The Revolution put an end to some claims. Vermont became a separate State, and Benning Wentworth's reservations therein were of no value to his heirs, while all of governor John Wentworth's property in New Hampshire was confiscated.

Depositions by members of the governor's Council and testimonials from the towns of Portsmouth and Francestown were gathered and sent to the king, through the agency of Mr. Thomas McDonogh, private secretary to the governor. The testimonial of Portsmouth was unanimously voted in annual town meeting, wishing that "his Majesty may be pleased to continue your Excellency in the chair for a long time to come, that we may go on to reap the fruit of your publick spirit and strenuous endeavours for the welfare of this Province and his Majesty's interests in general. We shall only add our wishes that your Excellency will continue to promote and encourage the settlement of the new townships in this Province, & countenance Learning and usefull Knowledge as you already very abundantly have done, and that you may hereafter meet your reward."<sup>9</sup> This testimonial will not count for much, if we remember that two years later the people of Portsmouth planted a cannon pointed at the door of the governor's house and that he was constrained to flee from the country to save his life from the mob. The grants of land under both the governors had been more favorable to Portsmouth people than to the inhabitants of any other town, and so they had nothing to complain of in the conduct of the governor up to 1773.

The lords for trade and plantations reported that the complaints made by Peter Livius were established by evidence. After stating the facts in the case they concluded thus: "We humbly submit that the complaint against Mr. Wentworth, so far as it regards the facts above stated, has been fully verified. At the same time it is our duty to represent, that the reports which we have received through different channels of the situation of affairs within your Majesty's government of New Hampshire do all concur in representing the colony to have been,

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<sup>9</sup> N. H. State Papers, XVIII. 646.

ever since Mr. Wentworth's appointment, in a state of peace and prosperity; that its commerce has been enlarged and extended, the number of its inhabitants increased, and every attempt made to excite the people to disorder and disobedience has been, by the firm and temperate conduct of Mr. Wentworth, suppressed and restrained." In other words, they reported him to be a safe man in the administration of such government in New Hampshire as they desired in spite of some maladministrations and suspicion of selfish greed. A committee of the king's privy council took a different view of the case. They found a sufficient answer to all complaint in the defense prepared by the governor and his attorneys and so reported, "That there is no foundation for any censure upon the said John Wentworth, Esq., your Majesty's governor of New Hampshire, for any of the charges contained in Mr. Livius's complaint against him." This report was approved by the king.

The decision of this case was satisfactory to the people of New Hampshire in general and of Portsmouth in particular. The president and tutors of Dartmouth College wrote him a letter of commendation, and the House of Representatives expressed to the governor their congratulations on his triumphant acquittal. "We hope that all other ill grounded complaints of the like nature will meet with the like catastrophe."

Peter Livius obtained the appointment of chief justice of New Hampshire, but relinquished it in favor of a similar office in Quebec. He was regarded as a Tory and his property in New Hampshire was confiscated. He died in England in 1795.

While Captain Samuel Holland, the king's Surveyor General of the Northern District, was stationed at Portsmouth for two years, unable to survey the sea coast during the severity of winter, Governor Wentworth thought it a favorable opportunity to secure a complete survey of the province. At first the House refused to vote aid, but in 1772 it was voted to pay one hundred guineas when the plans were completed and one copy delivered to the governor, council and assembly, one to each. The needed amount had already been raised by subscription. In this work Captain Holland was assisted by James Grant who afterwards petitioned for a grant of two thousand acres as compensation for fatigues endured, and by Thomas Wright, George Sproule,

Thomas Wheeler and Charles Blackowitz. Astronomical observations were made by Wright at Hinsdale and at the Pine Tree boundary mark in Dracut, and Sproule first reported that the southern boundary line did not run due west as it should, and thereby New Hampshire had lost 59,872 acres which properly belonged to that province. Holland's map was published in London in 1784 and it seems to be the basis of a German map published in 1796. Holland's was the first extended and thorough survey of New Hampshire,<sup>10</sup> according to which the province contained 9296 square miles, or 5,849,440 acres, after deducting one hundred thousand acres for ponds and rivers.

Although the governor had been "vindicated" by royal decision and restored to popular favor, he soon began to decline in popularity. He wanted to please the people of New Hampshire and George the Third at the same time. He counseled moderation and patience. If his counsel could have been heard and heeded in the king's court and parliament, the revolutionary war might have been averted. A sense of duty, as well as inclination, led him to side with the British government, when at last the decision was forced. He could not foresee the end of the struggle and felt that in a short time peace and harmony would be restored,—by means of armed forces, if this was necessary as a last resort. He did not like the congresses, the committees of correspondence, the communications between the colonies for mutual action and protection, but the House of Representatives, with another John Wentworth of a different spirit as Speaker, went about the performance of their patriotic duties, as if there were no royal governor. They knew the people were with them. In response to call and example of the House of Burgesses of Virginia a Standing Committee of Correspondence and Inquiry was appointed in May 1773. It consisted of the Hon. John Wentworth, Speaker of the House, John Sherburne, Judge William Parker, John Giddinge of Exeter, Jacob Sheafe, Christopher Toppan of Hampton and John Pickering. Their business was "to obtain the most early and authentic Intelligence of all such acts & Resolutions of the British Parliament or proceedings of Administration as may

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<sup>10</sup> N. H. Prov. Papers, VII. 294, 362, and XVIII. 652. A copy of Holland's map is in the library of the N. H. Hist. Society.

relate to or affect the British Colonies in America, & to keep up and maintain a Correspondence & Communication with any sister Colonies respecting those important considerations, & the result of such their proceedings from Time to Time to lay before the House." At the same time the Speaker wrote to the Speaker of the House of Burgesses, assuring him that the representatives of New Hampshire were unanimously with their southern brethren in patriotic sentiments and resolves; that all the colonies were in one common ship; and that the hope was entertained, that some measure might be hit on for restoring mutual confidence once existing between Great Britain and the American provinces. A similar message was sent to the House of Deputies in Rhode Island, in response to a letter received from them.<sup>11</sup>

After the repeal of the Stamp Act England put a duty on some exports to the colonies, which was resisted on the principle that this was indirect taxation without representation. Such was the opposition that in 1770 all such duties were repealed except that on tea, and this was retained more to show that England had a right to tax the colonies than for purpose of revenue. The answer was the formation of clubs, especially of women, that agreed to use no tea whatever, and importations grew less, till the East India Company had seventeen million pounds of tea stored in English warehouses. On the tenth of May, 1773, a bill was enacted in Parliament to take off all duty on tea and permit the East India Company to export it to the colonies, charging an import tax of only three pence per pound. Thus the colonies could get tea cheaper than they could before. But a tax in any form without their consent conflicted with an awakened public opinion. Therefore its landing was opposed in New York, Boston and Portsmouth. The Boston Tea Party, which threw overboard three hundred and forty-two chests of tea in the harbor, from three ships, on the night of December 16, 1773, is well known in history. On that same day a public meeting was held in Portsmouth, and resolutions were framed and sent to every considerable town in the province, declaring the action of the British Parliament to be unjust, arbitrary and inconsistent with the fundamental principles

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<sup>11</sup> N. H. Prov. Papers, VII. 330-332.

of the British Constitution, tending to hasten on the destruction of the empire. They asserted that it was the natural right of every person born in that empire to dispose of his own property; that the tax took from Americans property without their consent; that "every virtuous and public spirited freeman ought to oppose to the utmost of his ability every artful attack of the ministry to enslave the Americans; that the power given to the East India Company was an attempt to enforce the plans of the British ministry and a direct attack upon the liberties of the colonies, which all true hearted Americans ought to resist"; that "a union of the Colonies appears to be the most likely method, under God, of obtaining a repeal of all those acts which are so subversive of the freedom of the British colonies and destructive to the whole nation"; that "in case any of the Company's tea should be brought into this port for sale, we will use every necessary method to prevent its being landed or sold here"; and that whoever assisted in the importation of tea shall be deemed an enemy to America.<sup>12</sup>

The governor tried to persuade the House not to consider any extra-provincial measures, but finding that they had chosen by a bare majority a committee of correspondence and learning that the Speaker had letters from other colonies to read to the House, he dissolved the assembly March 7, 1774, thinking it improper for a provincial governor to admit the proceedings intended. In a letter to the Earl of Dartmouth, dated June 8, 1774, he expressed the expectation "that a few weeks will convince those who may be members (of the new Assembly) of the imprudence and error of measures that tend to weaken or subvert the subordination of the colonies."<sup>13</sup>

On the twenty-fifth of the following June twenty-seven chests of tea, consigned to Edward Parry, were landed at the custom house before the people could be informed of it. A town meeting was called and it was proposed that Mr. Perry at once reship the tea, to which he consented. The duty was openly paid at the custom house, and the tea was sent to Halifax. This was better than to mix it with salt water. A second cargo, of thirty chests, arrived on the eighth of Sep-

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<sup>12</sup> Adams' Annals of Portsmouth, pp. 239-40.

<sup>13</sup> N. H. Prov. Papers, VII. 369.

tember. Mr. Parry asked the governor for protection after the windows of his house had been broken, which was granted, and a popular assembly next day prevailed on Mr. Parry to send this tea also to Halifax. So much tea and so many tories went to that place that it may have given rise to the exclamation still sometimes heard, "Go to Halifax," a softened mode of telling disagreeable persons where to go.

Meanwhile a new Assembly had convened, April 7, 1774. Most of its members had belonged to the previous Assembly but some new names appear, among them men of great influence in subsequent affairs, such as Woodbury Langdon of Portsmouth, Meshech Weare of Hampton Falls, Col. Nathaniel Folsom of Exeter, Col. Josiah Bartlett of Kingston and Ebenezer Thompson of Durham. Col. John Wentworth of Somersworth was again chosen Speaker of the House. The governor's speech to the House avoided disputed questions and recommended harmony and diligence as the basis of prosperity. The House replied that harmony should exist especially between the different branches of the legislature. The following were chosen as a Committee of Correspondence with other provinces, viz., John Wentworth, Samuel Cutts, John Giddinge, Clement March, Josiah Bartlett, Henry Prescott and John Pickering. The House expressed themselves as in readiness to join with sister Assemblies in all salutary measures that may be adopted in this important crisis for saving the rights and privileges of the Americans and promoting harmony with the parent State. Only five men were voted as a guard to fort William and Mary, disregarding the plea of the governor for a strong garrison. After the usual and necessary business of the province had been finished the governor adjourned the House several times and finally sent down the following message:—

As I look upon the measures entered upon by the House of Assembly to be inconsistent with his Majesty's service & the good of this Government, it is my Duty as far as in me lies to prevent any Detriment that might arise from such proceedings. I do therefore hereby Dissolve the General Assembly of this Province and it is Dissolved accordingly. Dated 8th June, 1774.

But the House of Representatives were not in a mood to

be sent home from school. The Committee of Correspondence summoned them to meet in their own chamber at the State House. The governor attended by the sheriff of the county made his appearance and they arose at his entrance. He declared their meeting illegal and ordered the sheriff to make proclamation for all persons to disperse and keep the king's peace. When he had retired they resumed their seats and after deliberation adjourned to an inn. Then they wrote letters to all the towns in the province, asking them to send delegates to a general congress and to pay their proportionate part of the estimated expenses of said congress, two hundred pounds. They also recommended July 14th as a day of fasting and prayer on account of the gloomy state of affairs. The day was observed, the money was collected, and eighty-five delegates were chosen. They met at Exeter, on the 21st of July, 1774.

The Provincial Congress at Exeter chose Colonel Nathaniel Folsom of Exeter and Major John Sullivan of Durham as delegates to the Continental Congress, to be held "at such time and place as may be appointed, to devise, consult and adopt such measures as may have the most likely tendency to extricate the Colonies from their present Difficulties, to secure and perpetuate their Rights, Liberties and Privileges and to restore that Peace, Harmony and mutual Confidence, which once happily subsisted between the Parent Country and her Colonies." The two hundred pounds collected were handed over to the delegates, to pay their expenses, and a committee to give general instructions to the delegates was elected, consisting of Hon. John Wentworth, Hon. Meshech Weare, Colonel Josiah Bartlett, Colonel Christopher Toppan and John Pickering, Jr. This Congress also voted unanimously "to recommend it to their respective Towns to take into Consideration the distressed unhappy Condition of the Town of Boston, and liberally to contribute towards the Relief of the Poor of that Town, according to the noble and laudable Example of their Sister Colonies."<sup>14</sup>

The commiseration expressed throughout the colonies for the poor people of Boston was occasioned by the enactment

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<sup>14</sup> N. H. Prov. Papers, VII. 407-8.

in Parliament of the Boston Port Bill, excluding merchandise from the harbor. Thereby the cost of the necessities of life was greatly increased, and the many poor who flock to a city were in distress. A circular petition was sent to many places, imploring aid. Portsmouth voted two hundred pounds for this purpose; Exeter sent up one hundred pounds; other towns sent money and words of sympathy. The following letter from Durham is the most eloquent and patriotic expression of public feeling of that time. It was probably written by the Rev. John Adams, an eloquent preacher and a zealous patriot, assisted by Major John Sullivan. Note the unanimity expressed. This noble epistle is worthy to be ranked with the utterances of the most famous orators and patriots of revolutionary times. It is dated November 21, 1774:

Gentlemen: We taken pleasure in transmitting to you by Mr. Scammell a few cattle, with a small sum of money, which a number of persons in this place, tenderly sympathizing with our suffering brethren in Boston, have contributed towards their support. With this, or soon after, you will receive the donations of a number in Lee, a parish lately set off from this town, and in a few days those of Dover, Newmarket & other adjacent towns. What you herewith receive comes not from the opulent, but mostly from the industrious yeomanry in this parish. We have but a few persons of affluent fortunes among us, but those have most cheerfully contributed to the relief of the distressed in your metropolis.

This is considered by us, not as a gift, or an act of charity, but of justice, as a small part of what we are in duty bound to communicate to those truly noble & patriotic advocates of American freedom, who are bravely standing in the gap between us & slavery, defending the common interests of a whole continent and gloriously struggling in the cause of liberty. Upon you the eyes of all America are fixed. Upon your invincible patience, fortitude & resolution (under God) depends all that is dear to them and their posterity. May that superintendent gracious Being, whose ears are ever open to the cry of the oppressed, in answer to the incessant prayers of his people, defend our just cause, turn the counsels of our enemies into foolishness, deliver us from the hands of our oppressors and make those very measures, by which they are endeavoring to compass our destruction, the means of fixing our invaluable rights & privileges upon a more firm & lasting basis.

While with the most painful sensations we reflect that prior to the commencement of the evils which now surround us, supineness & inattention to our common interests had so far prevailed, as almost wholly to sink in luxury & dissipation the inhabitants of these Colonies; we are bound to acknowledge the divine wisdom & goodness, which by these calamities roused

us from our lethargy, and taught us to defend those inestimable liberties, which otherwise must have been lost forever to us & our posterity; and to evince his determination to save America, directed the attacks of our enemies to that quarter where the virtue and firmness of the inhabitants could brave the shafts of military tyrants, and set at defiance the threats of an exasperated & despotic minister.

We are pleased to find, that the methods by which the ministry sought to divide, have happily united us, and by every new act of oppression, more & more strengthened union. And we can with truth assure you, gentlemen, that in this quarter we are engaged, to a man, in your defence, and in defence of the common cause. We are ready to communicate of our substance largely, as your necessities require; and, with our estates, to give our lives and mingle our blood with yours, in the common sacrifice to liberty. And since we have no asylum on earth, to which we may fly: before we will submit to wear the chains of slavery a profligate & arbitrary ministry are preparing for us, we are determined upon an emigration through the gate of death, in hope of inheriting the fair land of promise and participating with our forefathers in the glorious liberty of the sons of God.

That Heaven may support you, under your distressing circumstances, and send you a speedy and happy deliverance from your present troubles, is the earnest prayer of, Gentlemen, your cordial friends and very humble servants.

JOHN ADAMS,

JOHN SULLIVAN, Committee.<sup>15</sup>

The governor brought popular disapproval upon himself by sending carpenters to Boston, at the request of General Gage, to assist in erecting barracks for the British soldiers, the carpenters in the vicinity of Boston refusing such work. One Nicholas Austen of Middleton was the governor's agent in finding the desired workmen, and he was summoned before the Rochester Committee of Correspondence and forced, on his knees, to ask forgiveness for so doing, promising in the future to do nothing contrary to the Constitution of the Country, a phrase at that time of elastic meaning, but afterwards made sufficiently definite. Portsmouth chose a committee of forty-five persons, and the governor's uncle, Hunking Wentworth, was its chairman and allowed the use of his own house for a place of meeting. The governor alludes to him in a letter to the Earl of Dartmouth, as "Mr. Wentworth, an old gentleman of seventy-eight years and lately extremely impaired by recent

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<sup>15</sup> Mass. Hist. Coll. Fourth Series, Vol. I., p. 144.

epileptic fits." He was an ardent patriot and lived to see the triumph of his nephew's wiser and bolder opponents.

On the thirteenth of December, 1774, Paul Revere came riding from Boston with a message from the Committee, that troops were to be sent to reinforce fort William and Mary, at New Castle, and that orders in the King's Council prohibited the exportation of gunpowder and military stores to America. This alarmed the people, who began to assemble and make plans what to do. The insurgents in Portsmouth were led by Captain John Langdon, afterwards governor of New Hampshire. Governor Wentworth warned Captain Cochran at the fort to be on his guard. He had only five soldiers; these put three four-pounders where it was thought they would be of most service and awaited the expected assault.

The next day about four hundred men went to the fort in gondolas and naturally did not directly face the four-pounders, which were discharged without injury to any one. Indeed only a show of resistance was made, for what could an officer and five privates do against a mob of four hundred? Had Captain Cochran aimed those cannons effectively, as he might well have done, the event would have been a rival to that of Concord and Lexington a few months later. By injuring nobody he saved himself and his men from harm. Quickly they were overpowered and held as prisoners, till the assailants secured about one hundred barrels of gunpowder, which they took away in their gondolas. Then Captain Cochran and his men were released. The powder was consigned to the care of Major John Sullivan of Durham, who the next day went down with a strong party, conferred with the governor, and at night visited the fort again and took away, as he afterwards reported, "the remainder of the powder, the small arms, bayonets, and cartouch-boxes, together with the cannon and ordinance stores." The party from Durham were out all night. It was bitterly cold, and Oyster River was so frozen that the ice had to be cut from Little Bay to Durham Falls, this work consuming several days. Among those who went down from Durham the names of the following have been gleaned from authentic sources, viz., John Sullivan, the Rev. John Adams, Deacon Nathaniel Norton, Lieutenant Durgin, Captain Jonathan Wood-

man, Aaron Davis, Winborn Adams, Ebenezer Thompson, Major John Demerit of Madbury, Alpheus Chesley, Jonathan Chesley, John Spence, Micah Davis, Edward Sullivan, Isaac Small, Benjamin Small, and Eleazer Bennett. The three clerks of John Sullivan, who were studying law with him, were Alexander Scammell, Peter French and James Underwood. These assisted in bringing the military stores up the river and may have been at the fort.

On the next day, the fifteenth of December, Col. Nathaniel Folsom led a company of men from Exeter, who paraded the streets of Portsmouth, and it was rumored that they were to demolish the fort, but nothing more was done.

The powder captured was taken to Durham and thence was distributed to various places and towns. Some was stored, as tradition says, under the pulpit of the church, but not for a long time. There is complete evidence that some was stored at the residence of Ebenezer Thompson, and more was carried to the farm-house of Major John Demerit in Madbury. Tradition, that in this case seems to be trustworthy, says that some of the powder stored with Major Demerit was hauled to Cambridge and used in the battle of Bunker Hill, and there is historical evidence that some was sent to Winter Hill at the request of General Sullivan. The arms brought to Durham were repaired by Thomas Willey, for which he was paid, according to a town record, twenty shillings and nine pence.

The governor at once ordered that thirty men should be enlisted to guard the fort. Efforts were made to secure them, but not a man would volunteer. All persons concerned in the assault on the fort, who had held any office under the government, were dismissed from office by the governor.<sup>16</sup> He also issued the following proclamation, dated December 26, 1774:

Whereas several bodies of men did, in the day time of the 14th, and in the night of the 15th of this instant December, in the most daring and rebellious manner invest, attack, and forcibly enter his Majesty's castle William and Mary in this province, and overpowering and confining the captain and garrison, did, besides committing many treasonable insults and

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<sup>16</sup> Belknap's Hist. of N. H., Farmer's Edition, p. 353. The Capture of Fort William and Mary, by Prof. Charles H. Parsons, in Proceedings of the N. H. Hist. Society, IV. 18.46; also Hist. of Durham, N. H., Vol. I., pp. 118-122.

outrages break open the magazine of said castle and plunder it of above one hundred barrels of gunpowder, with upwards of sixty stand of small arms, and did also force from the ramparts of said castle and carry off sixteen pieces of cannon and other military stores, in open hostility and direct oppugnation of his Majesty's government, and in the most atrocious contempt of his crown and dignity;

I do, by advice and consent of his Majesty's council, issue this proclamation, ordering and requiring, in his Majesty's name, all magistrates and other officers, whether civil or military, as they regard their duty to the king and the tenor of the oaths they have solemnly taken and subscribed, to exert themselves in detecting and securing in some of his majesty's gaols in this province the said offenders, in order to their being brought to condign punishment; And from motives of duty to the king and regard to the welfare of the good people of this province: I do in the most earnest and solemn manner exhort and enjoin you, his majesty's liege subjects of this government, to beware of suffering yourselves to be seduced by the false arts or menaces of abandoned men, to abet, protect, or screen from justice any of the said high handed offenders, or to withhold or secrete his majesty's munition forcibly taken from his castle; but that each and every of you will use your utmost endeavors to detect and discover the perpetrators of these crimes to the civil magistrate, and assist in securing and bringing them to justice, and in recovering the king's munition; This injunction it is my bounden duty to lay strictly upon you, and to require your obedience thereto, as you value individually your faith and allegiance to his majesty, as you wish to preserve that reputation to the province in general; and as you would avert the dreadful but most certain consequences of a contrary conduct to yourselves and posterity.

J. WENTWORTH.

Of course nobody paid any attention to this proclamation; it was made, that the governor and his supporters might keep on good terms with the king by making a show of fulfilling their duty.

The second Provincial Congress was held at Exeter, January 25, 1775. The Hon. John Wentworth of Somersworth presided. No record has been preserved of the names of the deputies. The convention heartily approved of the proceedings of the Continental Congress, held the preceding September in Philadelphia. Major John Sullivan and Captain John Langdon were chosen delegates to attend the next Continental Congress, to be held at Philadelphia on the tenth of May. The Hon. John Wentworth, Colonel Nathaniel Folsom, Hon. Meshech

Weare, Colonel Josiah Bartlett, Colonel Christopher Toppan Ebenezer Thompson and William Whipple were chosen as a committee to call a Provincial Convention whenever they thought best, and they together with Samuel Cutts and John Pickering were made a Committee of Correspondence for New Hampshire. It was voted to raise two hundred and fifty pounds to pay the expenses of delegates to the Continental Congress. An address was issued to the people, exhorting them to obedience to just laws and authorities, to the cultivation of peace and harmony, to "abstain from the use of East India tea," to encourage manufacturers, to practice economy and industry and shun all kinds of extravagance, to exercise themselves in military drill, to avoid lawsuits and pay their just debts, to continue their contributions for the poor and oppressed of Boston, and to implore the favor of God, always thought by sincere worshipers to be on the side of freedom and righteousness.

Various towns passed resolutions of a patriotic character, and Plymouth instructed its representative in the House, John Fenton, to use his best endeavors to preserve the laws of the land, to discountenance every act of oppression, to suffer no diminution of rights enjoyed, and to keep harmony and allow the public to hear the debates of the House, by having the doors open to the people. Before this it had been proposed to build galleries for the accommodation of those who wished to listen to the proceedings of the House. Secret assemblies of legislators chosen by the people met with no approval. Hillsborough county held congresses of its own, at Amherst. They specially recommended all persons not to engage in any "routs, riots or licentious attacks" on persons or property.

Shortly after the assault on fort William and Mary the frigate Scarborough and the sloop Canceau were anchored in Portsmouth harbor and remained some months, during that time dismantling the fort and carrying away the military stores that were left. This provoked the people to assemble to the number of about six hundred, who went down to Jeremy Point, where a battery had been erected, on Great Island, and brought away eight cannons of twenty-four and thirty-two pound shot. These were taken to Portsmouth, and Hunking Wentworth

wrote to Matthew Thornton, advising that they be set up for the defense of that place. Some years afterwards Gen. John Sullivan wrote that there was a scheme to seize him and take him on board the Scarborough. However, no such attempt was made. The ships did seize merchant vessels coming into the harbor, laden with food supplies for the people, and sent the same to Boston for the troops of General Gage. For a time Portsmouth furnished to these ships a liberal supply of meat, perhaps because of the threat that otherwise the supply of fish for Portsmouth would be cut off. Merchants protested to governor Wentworth against the action of the Scarborough in stopping merchant vessels, but Captain Barclay said he had orders to send all vessels laden with food to Boston, and even salt and molasses were reckoned as food.

Meanwhile the farmers about Concord and Lexington had "left off planting corn and planted scarlet runners." The news of the fight ran like wildfire throughout the colonies, and great was the excitement. The amiable and well loved governor of New Hampshire kept on in his counsels of patience and moderation. The people had too much respect for him to willingly give him offense, and he sincerely cared for the happiness and prosperity of the people. His great ambition was the agricultural and commercial development of his province. At the same time his heart was loyal to the king of England, and he sought in every way known to him to effect a reconciliation between the colonies and the mother country. He tried to be a peacemaker, but the war for freedom had already begun. Lord North had got Parliament to adopt a conciliatory proposition, "that when any colony by their governor, council and assembly shall engage to make provision for the support of civil government and administration of justice in such colony, it will be proper, if such proposal be approved by the king and parliament, for so long time as such provision shall be made, to forbear to levy any duty or taxes in such colony, except for the regulation of commerce, the neat proceeds of which shall be carried to the account of such colony respectively." This proposition looks fair, but its aim was thought to be to divide the colonies. The British troops were to remain, and the colonies that would not accept this proposition and make provisions

satisfactory to the king and parliament were to be brought to obedience by force. Hopes of reconciliation were kindled in the breast of Governor Wentworth, which led him to call a new Assembly, which met on the fourth of May, 1775. It was composed of the leading men of the province, of whom some had taken part in the assault on fort William and Mary, and probably all the rest approved of that act. The governor had no power to arrest them and bring them to trial. Among those who presented themselves as representatives were Colonel John Fenton of Plymouth, Israel Morey of Orford and Mr. Green of Lyme. These came in consequence of the king's writ, a precept sent by the governor without any action taken by the House. This revived an old dispute about the respective powers of governor and House. Formerly the House had yielded to Governor Benning Wentworth; now they were in a position to win their case. They said to the governor, "As the Council are appointed for this Province by the Crown, we think it not only a cruel but an arbitrary stretch of Prerogative for your Excellency to issue writs to such towns as you think proper to send Representatives without the concurrence of the other Branches of the Legislature therein, for by that means the Representatives as well as the Council would in effect be chosen by the Crown. We can not think that such an attempt was ever made in any other government within the English Dominions." It was mistrusted that the governor was trying to pack the House with men of his own mind. His reply showed that what he had done had been done before by himself and by his predecessor, but they knew that such previous action had been allowed under protest or silently ignored when there was no issue of importance at stake. The new deputies were not admitted, and Colonel John Fenton especially was under suspicion. The reply of the governor was his last message to the House, and it was dated July 15, 1775.

Before this he had sent to the House a copy of the action of parliament, called the conciliatory proposition of Lord North, and had adjourned the Assembly in order that the members might have opportunity to reflect upon it and consult their constituents. Still earlier, May fifth, the governor said, in a message to the House:

We cannot but view with inexpressible concern the alarming Pitch to which the unfortunate Dispute between Great Britain and her Colonies is daily advancing. A matter of such a momentous nature, which fills every human mind with the deepest anxiety & affliction, and wherein this province is unhappily involved, cannot I presume fail of engaging your most serious attention: It is therefore my Duty at such a critical & important moment to call, in the most earnest & solemn manner, upon you, gentlemen, who are the only constitutional and legal Representatives of the People, to direct your Counsels to such measures as may tend to secure their Peace & safety. On the Wisdom, Candor & Moderation of your Deliberations it will greatly depend to avert the Calamities that must naturally attend a continuance of this unhappy Contest, and I trust your conduct will be guided by such Principles as shall effectually lead to a Restoration of the Public Tranquility, and a perfect Reestablishment of an affectionate Reconciliation with our mother Country, upon a solid, equitable & permanent Foundation.

Connected as we are with our Parent State by the Strongest Ties of Kindred, Religion, Duty & Interest, it is highly incumbent upon us in this Time of General Disquietude to manifest our Loyalty and attachment to the best of Sovereigns, and our firm and unshaken Regard for the British Empire; And I have full confidence that those great considerations will influence every part of your conduct. You may entirely rely on my most ardent zeal to co-operate with you in whatever constitutional measures may be found necessary to accomplish that most essential object to the Well Being of the Province,—a Restoration of our Harmony with Great Britain.<sup>18</sup>

The reply of the House was kind, courteous and firm. Their solicitude for the welfare of the province was equal to that of the governor, but they saw more clearly than he, that their welfare was inseparably bound up with that of the other American colonies. They wanted a reconciliation with the mother country, but their rights as freemen must be acknowledged. The prosperity of England was one with that of the colonies. They were as necessary to her as she to them, and increasingly unto the present day England has been learning that lesson. The patriots dwelt upon their grievances as though they were related to England as slaves to a tyrant; the people of New Hampshire did not forget that they were related as children to a mother. The governor wanted reconciliation at any cost and was more careful to guard the prerogatives of the king than those of the people; the House as the representatives of the people wanted reconciliation with honor and liberty and sacred rights protected, and they cared more for the people than for the king.

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<sup>18</sup> N. H. Prov. Papers, VII. 372.

We have seen that one of the representatives who failed to be admitted to the House was Colonel John Fenton of Plymouth. He had once been a captain in the British army and had served in the Indian wars. He owned the farm on which was fought the battle of Bunker Hill and many years afterwards received from the British government compensation for destruction of property thereon. A grant of two thousand acres in Plymouth had been made him, where, being also justice of the peace and judge of probate, he was a man of importance, and he got himself elected as representative of that town. On the seventh of June, 1775, Governor Wentworth, who had made him a colonel, appointed him as commandant of fort William and Mary. On the twelfth he went to the assembly chamber and expressed himself too vigorously on the matter of his rejection therefrom. The people became convinced that he sympathized with their enemies and a mob pursued him to the house of the governor. A cannon was planted before the door, and its discharge was threatened, unless Fenton was given up. This induced Fenton to surrender himself. He was sent to Exeter and carefully guarded till he could be sent out of the province. Not long after he left the country for good, having no affiliation with the patriots.<sup>19</sup>

This incident induced the governor to withdraw, with his family, to fort William and Mary, where for two months or more he lived in narrow and inconvenient quarters, and whence he addressed a letter to General Gage, at Boston, acquainting him with proceedings at Portsmouth. The fort had sixty pieces of cannon, but had neither men nor munitions. A few servants and guards were employed by the governor. On the fifteenth of July he wrote his last message to the House of Assembly, and on the twenty-second of August he went on board the frigate Scarborough and sailed for Boston. In September he returned as far as the Isles of Shoals, whence he prorogued the Assembly till the following April. This was the last time he ever set foot in New Hampshire. Letters indicate that he was for a time at Halifax, Long Island, New York and Newport. He sailed for England, February 7, 1778. His home was in London till 1783, when he was again made sur-

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<sup>19</sup> Hist. of Plymouth, N. H., by Hon. Ezra S. Stearns, Vol. I., pp. 68-79.

veyor of the King's woods in America. In consequence of this he removed to Halifax, Nova Scotia, and in 1792 George the Third made him Lieutenant Governor of that province. In old age he resigned his office and received a pension of five hundred pounds. England made him a baronet, and Aberdeen and Oxford Universities honored him with the degree of Doctor of Laws, even before Dartmouth College conferred the same honor upon him. He died in Halifax, April 8, 1820, aged eighty-three years.

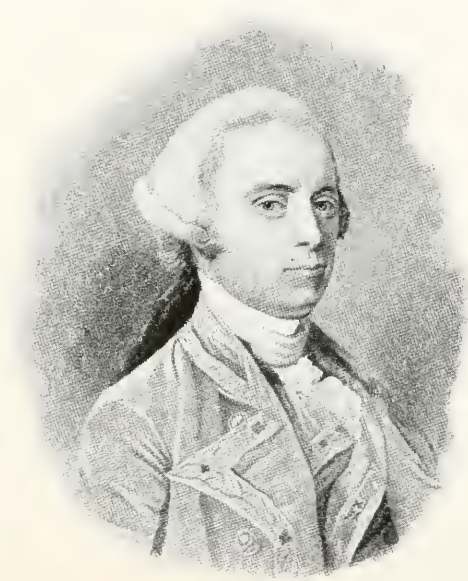
In 1791, after the turmoils and passions of the Revolution had ceased, he wrote to Dr. Jeremy Belknap thus:

The independence having been consented to by the government which entrusted me with its powers, I do most cordially wish the most extensive, great and permanent blessings to the United States; and of course rejoice at the establishment of their federal constitution as the probable means of their happiness. If there is anything partial in my heart in this case, it is that New Hampshire, my native country, may arise to be among the most brilliant members of the confederation; as it was my zealous wish, ambition and unremitted endeavor, to have led her to, among the provinces, while under my administration. For this object, nothing appeared to me to be too much. My whole heart and fortune were devoted to it and I do flatter myself, not without some prospect of success.<sup>20</sup>

Governor John Wentworth was by birth and training a gentleman, well educated, courteous, polished in manners and speech, amiable and philanthropic. The dignity of his station did not hinder him from severe labors on his farm at Wolfeborough, nor as surveyor in the woods of Nova Scotia. The wealth he inherited and his salary were lavished in hospitality. He was an esteemed friend of many of the nobility and highest officials of England. He had a patriotic love for Great Britain and a whole-hearted devotion to his king. In serving loyally the king he thought he was also serving best his native province. His station seems to have blinded him to a perception of the real state of affairs between the American colonies and England. It is always hard for the privileged class to realize the condition and feelings of the oppressed and to enter into sympathy with them. He thought that previous conditions had been good enough, and so they were to him. He thought that he knew what the people needed better than they knew what they

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<sup>20</sup> Wentworth Genealogy, III., 541-2.



GOVERNOR JOHN WENTWORTH  
From Painting by Copley



wanted. In this he agreed with the English parliament, though he would have modified and repealed some of their enactments. The province of New Hampshire had no charter, or written constitution. The king's commission to his agent, the governor, was their highest law, except that unwritten law, called the English Constitution, made up of customs, concessions wrung from reluctant kings, and long standing acts of parliament, which made up a body of rights and privileges long claimed by all subjects of Great Britain. Those who sit in the seats of the mighty are not usually reformers and advanced thinkers. The governor lacked political insight and vision of the future. It was inconceivable to him that the colonists would be victorious in a struggle with Great Britain. He firmly expected to recover those loved acres in Wolfeborough and to rule once more in state at Portsmouth. The people respected him for his learning and abilities and felt kindly toward him for his amiable and friendly disposition. He left not an enemy in New Hampshire, and, although his property was confiscated, all would have been pleased to have welcomed his return as a citizen of the new State. Had he done what no royal governor did and thrown himself with zeal into the defense of the rights of his countrymen and native land, he would have been one of the most popular among the patriots, a leader in councils, if not of armies. We are obliged to respect and almost pity him, if not to admire and love him. New Hampshire has never had a governor more truly devoted to her educational advancement and material prosperity than John Wentworth. Some day his native city and Province, now a flourishing State, will erect a bronze statue to his memory. The divergent opinions and feelings of revolutionary times are now so far forgotten or forgiven, that England can pay honors to George Washington.



Chapter IV

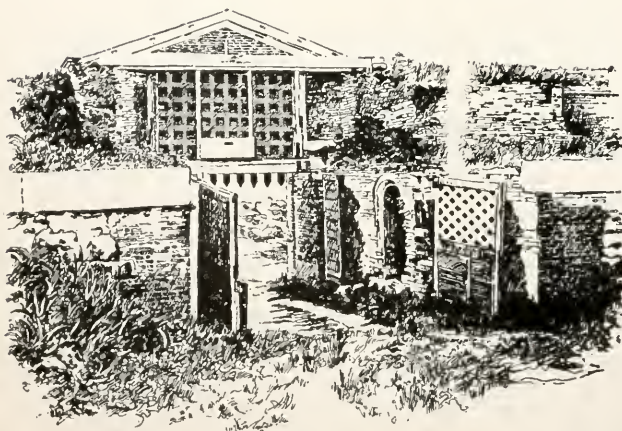
THE STORM BURSTS







HOUSE OF GOVERNOR WEARE  
(First Governor of New Hampshire)  
HAMPTON FALLS, N. H.



FORT CONSTITUTION PORTCULLIS, NEW CASTLE

## Chapter IV

### THE STORM BURSTS.

Beginning of the Revolution—The Rush to Lexington and Cambridge—Third Provincial Congress—Leading Men of the Fourth Provincial Congress—Matthew Thornton—Ebenezer Thompson—Wyseman Clagett—George Frost—William Whipple—Josiah Bartlett—Meshech Weare—Enoch Poor—Nathaniel Folsom—Abiel Foster—Joseph Cilley—Samuel Hobart—The Committee of Safety—Fortification of Portsmouth Harbor—Congress Sends Proclamation to the People and a Letter to Governor Wentworth—Battle of Bunker Hill—Stark and Reed at the Rail Fence—Lack of Ammunition—Costly Victory—Burning of Charlestown—To Whom Belongs the Glory of Bunker Hill?—John Sullivan—Alexander Scammell—The Provincial Congress Assumes Powers of Government—Issues of Paper Money—Seizure of the Prince George—Dr. Hall Jackson—Tories—Col. Timothy Bedel—New Hampshire Sends Men to Replace Connecticut Troops at Winter Hill—Five Thousand Men in the Field.

**H**AD some blood been shed when the powder was taken from fort William and Mary, the date of the beginning of the Revolutionary War would have been fixed in history as December 14, 1774, but Captain John Cochran aimed his guns so as to harm nobody. It was simply an affair of the bloodless looting of military stores, such an event as General Gage planned to repeat, on the other side, at Concord, Massachusetts, on the nineteenth of April, 1775. The former was as much an act of war as was the latter, and if the leaders could have been captured, they would have paid for their boldness with their lives. The patriots of New Hampshire foresaw the inevitable issue and were getting ready for battle. Powder was a necessity and must be had at any risk or cost; on the other hand General Gage thought that to deprive the New England militia of powder was one of the surest ways of preventing war. The red-coats who marched out from Boston to Concord expected to meet no opposition; the Yankees were "cowards" and would not fight. They learned better on Lexington common, at Concord bridge and in their hasty retreat to Boston,

as their ranks were decimated by those "shots heard round the world."

The news of the fight at Lexington flew swiftly in all directions, like the bursting of a shell. The farmers waited for no formal summons. Without uniforms or rations, they seized their rifles and shot-guns, that had no bayonets, and fairly ran to their respective village greens, the training grounds, or they joined their companies on the march, as fire-men rush to a conflagration. The news of Lexington reached New Ipswich sixty miles away before nightfall, and at two o'clock the next morning ninety-seven men, under Captain Thomas Heald, were on the march. Captain, afterwards Colonel, Nathan Hale left Rindge with fifty-four men that were in Cambridge before the night of the 21st. Ninety men of Keene marched eighty-five miles in two days and were at Medford on the 22nd. All the towns in New Hampshire responded instantly, even as far north as Boscawen. Bancroft says, that the ferries over the Merrimack were crowded by men from New Hampshire. "By one o'clock of the twentieth upwards of sixty men of Nottingham assembled at the meeting-house with arms and equipments, under Cilley and Dearborn; before two they were joined by bands from Deerfield and Epsom; and they set out together for Cambridge. At dusk they reached Haverhill ferry, a distance of twenty-seven miles, having run rather than marched; they halted in Andover only for refreshments, and, traversing fifty-five miles in less than twenty hours, by sunrise of the twenty-first paraded on Cambridge common." Ninety-two men from Hollis and vicinity, led by Captain Reuben Dow, marched forty-two miles to Cambridge in a day. John Stark left his saw-mill at Dunbarton and rode in haste to the scene of action, alarming and encouraging men as he went. So many followed him that on the morning of the twenty-second he was posted at Chelsea with three hundred men. By the twenty-third New Hampshire had two thousand of her half-armed militia within striking distance of Boston. Twenty thousand men had gathered from all over New England, all animated by one spirit. Many were without provisions and munitions and returned soon to their homes. The New Hampshire forces had their rendezvous at Medford, organized in

two regiments commanded by Colonel John Stark and Colonel James Reed. Bancroft says that Stark's battalion was a model for discipline. Four companies of troops passed through Newburyport before the twenty-first, and were joined by one hundred men from that town. Fears were felt that the enemy might attack the coast towns of New Hampshire, and it was questioned whether their militia ought not to remain for a home guard. This fear kept Dr. Hall Jackson's company in Portsmouth, well equipped and drilled.

The third Provincial Congress met at Exeter, April 21, 1775, only two days after the fight at Lexington. It was probably that event that called the delegates together. Sixty-eight were present and on the twenty-fifth they were joined by forty-one more from the more distant towns. The Hon. John Wentworth of Somersworth presided, and Ebenezer Thompson of Durham was chosen clerk, or secretary. Every member pledged his honor and faith to keep secret the transactions of the convention. Colonel Nathaniel Folsom of Exeter was chosen to take the chief command of all New Hampshire troops that had gone or might go to assist suffering brethren in Massachusetts, and he was given discretionary power to order any needed supplies for the army. Josiah Bartlett and Theophilus Gilman were appointed a committee to go to Concord, Massachusetts, and consult with the Congress sitting there and ascertain what quota of men New Hampshire should furnish. James Sullivan came as a messenger from the Provincial Congress of Massachusetts, reporting that reinforcements were hourly expected for General Gage's army in Boston, whose purpose was to reduce America to the most abject slavery. To prevent this there was need of an opposing army of thirty thousand men, of whom Massachusetts volunteered to raise thirteen thousand six hundred. A reply was sent by special messengers. The towns were asked to equip as many men as they could and have them ready to march at a minute's warning, also to raise a store of provisions. The Journal of this convention breaks off abruptly March second.

The fourth Provincial Congress met at Exeter, May 17, 1775. One hundred and thirty-four delegates were present, of whom thirty-one had military titles and eight were ministers

of the gospel. Many towns that had heretofore had no representative in the Assembly sent delegates, even those towns on the Connecticut river, that later voted to form a part of the State of Vermont. Matthew Thornton was chosen president and Ebenezer Thompson secretary. Prayer was offered by the Rev. Josiah Stearns of Epping. It was a remarkably able and determined body of men, wise, patriotic and as firm as the granite hills of their province. They were scarcely out-matched by the Continental Congress at Philadelphia. Let us look at some of them more particularly.

Dr. Matthew Thornton, the president, was a native of Ireland, probably of Scotch descent, born in 1714, son of James Thornton, who married Elizabeth Jenkins. They came first to Wiscasset, Maine, and thence removed to Worcester, Massachusetts, and thence to Londonderry, New Hampshire, in 1740, where Matthew Thornton resided and practiced medicine till 1779, when he removed to Exeter for a year. In 1780 he settled in Merrimack, at the place now called Thornton's Ferry, where he resided till his death, June 24, 1803. He served a long time as colonel of a regiment of militia. As a member of the Continental Congress he signed the Declaration of Independence. As a member of the Committee of Safety for New Hampshire he rendered great service. He had been surgeon in the expedition to Louisburg in 1745 and had served as the representative of Londonderry in the Provincial Assemblies from 1758 to 1762. On the division of the province into counties in 1771 he was made chief justice of the court of common pleas in Hillsborough county and afterwards was justice of the superior court. The town of Thornton was named for him, having been granted to him in 1763. He was chairman of the committee to draw up a plan of government for New Hampshire and was made one of the State Councilors in 1776. After the war he represented his town in the state legislature. Probably no man had a more powerful influence in helping on the Revolution in New Hampshire and shaping the government and early legislation of that State than he, unless it was Mechech Weare.<sup>1</sup>

Judge Ebenezer Thompson, secretary of the Congress, was

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<sup>1</sup> See Biog. Sketch by Charles H. Woodbury in Proceedings of the N. H. Hist. Society, III. 76-108.



MATTHEW THORNTON



born in Durham, March 3, 1737. He studied medicine but soon abandoned its practice for public duties. For ten years from 1766 he represented his town in the Provincial Assemblies. He was one of those who captured the powder at fort William and Mary and for this was deprived of his commission as justice of the peace. He was secretary of all the Provincial Congresses that met at Exeter and a member of the State Committee of Safety all through the Revolution, as well as a member of the Durham Committee of Correspondence, Inspection and Safety. He was one of the committee to draw up a plan of government for New Hampshire and to frame a constitution, and he held the office of councilor five years. As a commissioner he met delegates from other states at New Haven in 1778. Twice he was chosen to represent New Hampshire in the Continental Congress, but feeble health led him to decline these honors. After the Revolution he was State senator, justice of the Inferior Court of Common Pleas, and justice of the Superior Court of Judicature. In 1796 he accepted the office of judge of the Court of Common Pleas for Strafford county and held it till his death in 1802. He was one of the presidential electors at the choice of Washington and also of Adams. As a public official he was as useful to the town as to the State, holding for many years its varied offices and often consulted on legal matters. His record is that of an able, honest and eminently useful man.<sup>2</sup>

Wyseman Clagett, whose father bore the same name, was born in Bristol, England, in August, 1721. He adopted the profession of his father after a liberal education and practiced law ten years in Antigua. Thence he came to Portsmouth and practiced there till 1772, when he removed to a farm in Litchfield, where he died December 4, 1784. He was a member of the last House of Representatives under the provincial government and of the early provincial congresses. Under the Constitution adopted in 1776 he was a councilor, attorney-general, and member of the committee of safety. Afterward he was justice of the peace and solicitor-general for the State. He was famous as a prosecutor and a terror to evil-doers, yet withal social, hospitable, kind-hearted, liberal and witty.

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<sup>2</sup> See Memoir by Miss Mary P. Thompson.

Pierce Long was born in Portsmouth in 1739 and became a partner with his father in the shipping business. He served in the Revolutionary army as colonel of the first New Hampshire regiment and distinguished himself at Ticonderoga. He was a member of the Continental Congress in 1784, 1785, and a part of 1786. He was a member of the Executive Council 1786-1789 and a member of the State Constitutional Convention of 1788. In 1789 he was appointed by President Washington collector of customs at Portsmouth, where he died April 3, 1799.

Hon. George Frost was the other representative from Durham, born at New Castle, July 26, 1720, son of Hon. John and Mary (Pepperrell) Frost. For many years he held the office of justice of the Court of Common Pleas in Strafford county. He was delegate to the Continental Congresses of 1777, 1778 and 1779. He was also one of the State Councilors for four years and a member of his town's Committee of Correspondence, Inspection and Safety. His home was in the old Smith garrison house at Lubberland, in Durham.

General William Whipple was fifth in descent from Matthew Whipple, one of the first settlers in Ipswich, Massachusetts, and was born in Kittery, Maine, June 14, 1730, in the old Cutt-Whipple garrison house, that is still tenanted. At the age of twenty-one he had command of a ship and is said to have brought negro slaves to America. One of them he gave his liberty for service in the Revolution. Gen. Whipple settled in Portsmouth at the age of twenty-nine as a merchant, and there married his cousin, Catherine Moffat. He was elected representative to the Continental Congress in 1776 and served three years, signing the Declaration of Independence. He was appointed brigadier general of New Hampshire troops in 1777 and took part in the battles of Stillwater and Saratoga. In 1782 he was made judge of the Superior Court, which office he held till his death, November 28, 1787.<sup>3</sup>

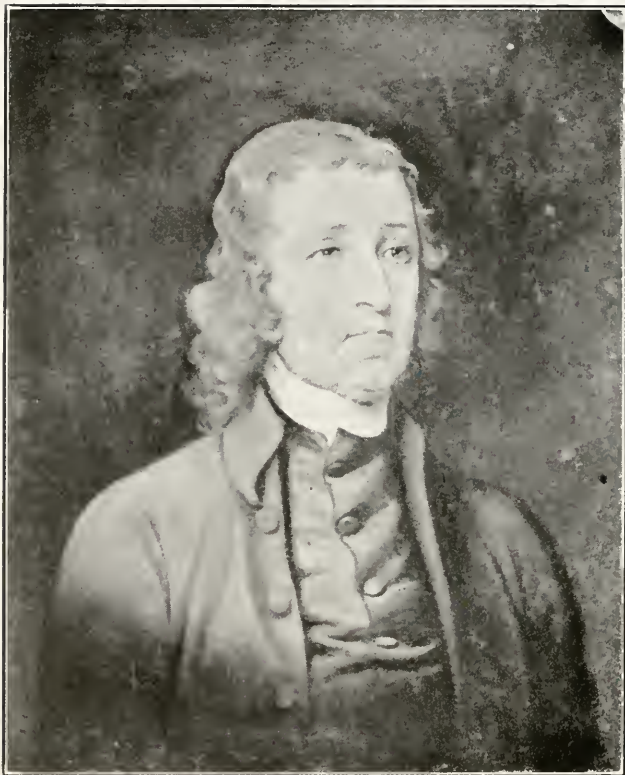
Dr. Josiah Bartlett represented Kingston. He was son of Stephen and Mary (Webster) Bartlett of Amesbury, Massachusetts, and was born there November 21, 1729. He settled in the practice of medicine at Kingston in 1750 and represented

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<sup>3</sup> For full sketch of his life see article by Moses A. Safford in Proceedings of the Maine Hist. Society, VI. 337-357.



GEN. WILLIAM WHIPPLE



JOSIAH BARTLETT

that town in the Provincial Assemblies from 1765 to the Revolution. Governor John Wentworth appointed him colonel in the militia and justice of the peace, but took away both commissions in 1775. He was a member of the State Committee of Safety. In 1775 and 1776 and again in 1778 he was a member of the Continental Congress and as such signed the Declaration of Independence, his name appearing next after that of John Hancock. In 1779 he was made chief justice of the Court of Common Pleas, and was a member of the convention to ratify the Constitution of the United States. From 1790 to 1793 he was president of New Hampshire and in 1794 he was chosen first governor under the newly adopted constitution. He had been chief justice also of the Superior Court. He died in Kingston May 19, 1795, one of the most respected and capable men of the State. His bronze statue stands in the public square at Amesbury, Massachusetts.

Among the patriots of revolutionary times nobody was more relied upon for wise counsels and unshaken devotion than Meshech Weare of Hampton Falls. He was born in what is now Seabrook, June 16, 1713, and graduated at Harvard College in 1735, devoting some time to the study of theology and law. He was chosen speaker of the house of representatives in 1752 and ever thereafter was prominent in political affairs. During the entire period of the Revolution he was at the same time chief justice and president of the council, corresponding to the present office of governor, and he was a member of the committee of safety. These offices kept him in constant correspondence with the leaders of the Revolution. For some years he had been colonel in the militia, but resigned that office because of age and that he might give himself wholly to constructive statesmanship. In 1784 he was the first president under the constitution adopted the previous year. Washington valued him highly as an adviser. In 1782 he was elected a fellow of the American academy of arts and sciences. He died January 25, 1786, at Hampton Falls, where a monument has been erected in his honor. Belknap says of him, "He was not a person of an original inventive genius, but had a clear discernment, extensive knowledge, accurate judgment, calm temper, a modest deportment, an upright and benevolent heart,

and a habit of prudence and diligence in discharging the various duties of public and private life. He did not enrich himself by his public employment, but was one of those good men, 'who dare to love their country and be poor.'"<sup>4</sup>

General Enoch Poor was born at Andover, Massachusetts, June 21, 1736. At the age of nineteen he was a private in the French and Indian war, serving in Nova Scotia. Beginning life as a cabinet-maker he grew to be a ship-builder at Exeter. He must have gathered wealth, for at the outbreak of the Revolution he was made colonel of the second regiment, never having had a military office before. His regiment guarded the coast till after the battle of Bunker Hill, when it was ordered to Cambridge. He took part in the expedition against Canada. In 1777 he was made brigadier general, which led to Stark's resignation of his command, thinking rightly that he had been unjustly overlooked. Gen. Poor fought in the campaign in New Jersey and also against the army of Gen. Burgoyne at Stillwater and Saratoga. He wintered at Valley Forge, fought at Monmouth and aided Gen. Sullivan in his campaign against the Indians of the Susquehanna Valley. It is said that a brilliant military career was ended by a duel, September 8, 1780, when Poor was mortally wounded by another officer. Effort was made to conceal the fact and it was reported that he died of a putrid fever. Dueling then was a part of the code of honor, so called. He was buried at Hackensack, New Jersey. Washington said of him, "He was an officer of distinguished merit, one who as a citizen and a soldier had every claim to the esteem and regard of his country."<sup>5</sup>

General Nathaniel Folsom of Exeter, born in 1729, was captain in the Crown Point expedition, at the age of twenty-nine. He was appointed colonel by Governor Wentworth. Four times he was a member of the Continental Congress and throughout the Revolution he was major-general of all the forces of New Hampshire, being also a member of the Committee of Safety. He subsequently served as Councilor, Judge of the Inferior Court and president of the convention for fram-

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<sup>4</sup> Farmer's Note to Belknap's Hist. of N. H., p. 375.

<sup>5</sup> See article in Proceedings of the N. H. Hist. Society, by Samuel C. Beane, D.D., Vol. III., pp. 435-471. A monument to the memory of Gen. Poor has been erected in New Jersey, the Hon. Henry N. Baker delivering the dedicatory address.



GEN. ENOCH POOR



GEN. JOSEPH CILLEY

ing a constitution, in 1783. He died May 26, 1790, one of the most esteemed and useful citizens of the State.

The Rev. Abiel Foster was born in Andover, Massachusetts, August 24, 1735, and graduated at Harvard College in 1756. He served as minister of the church at Canterbury from 1760 to 1779. Eight times he served as member of Congress. He was also four years judge of the Court of Common Pleas and was president of the State Senate in 1793. His reputation was that of one of the best educated and most influential men of the State.<sup>6</sup>

Gen. Joseph Cilley of Nottingham was one of those who marched to Lexington after the alarm. He was major in Col. Poor's regiment, colonel of the first New Hampshire regiment of three years' men, taking the place of Colonel Stark resigned. He fought at Bemis Heights, the Surrender of Burgoyne, and at Monmouth. The New Hampshire Assembly presented him with a pair of pistols as a token of esteem for a brave officer. After the war he was appointed major-general of militia, and repeatedly served as representative, senator and councilor.<sup>7</sup>

Samuel Hobart of Hollis was born in Groton, Massachusetts, August, 11, 1734. He had served as major in the French and Indian war and as representative in Provincial Assemblies, 1768-74. In 1771 he was appointed register of deeds, county treasurer and one of the justices of Hillsborough county. He was colonel of the second New Hampshire regiment of minute men. In 1777 he contracted to manufacture powder and for this purpose removed to Exeter, where he was representative in 1777-8 and a member of the Committee of Safety. He died in Kingston June 4, 1798. His brother, Colonel David Hobart, had command of a regiment under Stark at Bennington and distinguished himself for gallantry and efficiency.

So one might go on to mention other distinguished members of this convention, such as Lieut.-Col. John McDuffee of Rochester, who was with Stark's Rangers and with General Wolfe at Quebec, served under Col. Poor in the Revolution and represented his town in the counsels of state; Colonel Paul

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<sup>6</sup> Hist. of Canterbury, by James Otis Lyford, Vol. I., pp. 97-99.

<sup>7</sup> Hist. of Nottingham, pp. 180-3.

Dudley Sargent of Amherst, who raised a small Massachusetts regiment containing many New Hampshire men and after the war removed to Sullivan, Maine, where he was Judge of Probate; the Rev. Paine Wingate of Hampton Falls, afterward member of United States Congress; Colonel Samuel Ashley of Winchester and Colonel Oliver Ashley of Claremont; Col. Israel Morey of Orford; Major Clement Weeks of Greenland; Timothy Walker of Concord; Ichabod Rawlins of Somersworth; John Wheelock of Hanover, President of Dartmouth College; Col. John Hale of Hollis; and many others. All were men of prominence in military or civil offices, or both. The towns sent their most learned and efficient men, for then there were no political parties, and the endeavor was to pick the men who could and would best represent them and plan most wisely for the good of the entire country. Ordinary men become heroes and giants when great responsibilities are put upon them, great dangers are confronted and great service is demanded.

The fourth Provincial Congress voted to establish post offices at Portsmouth and Exeter, and from the latter place a post rider rode to Haverhill, Mass., connecting thus with Boston. Colonel John Hale of Hollis was delegated to go to Albany, New York, to purchase powder, pledging the credit of the convention, because ready money was so scarce. It was resolved to raise two thousand men, to serve till the following December, counting those already enlisted. Colonel Stark wrote to the convention that he already had five hundred and eighty-four men in his regiment at Medford and implored arms for them. Every member of the convention pledged his honor and estate, in the name of his constituents, to pay the officers and soldiers while in service. Thanks were voted to those who had taken the powder from fort William and Mary. The Committee of Safety chosen consisted of Colonel Matthew Thornton, Colonel Josiah Bartlett, Captain William Whipple, Hon. Ebenezer Thompson, Colonel Nathaniel Folsom, Israel Morey, Samuel Ashley and the Rev. Samuel Webster. Colonel Folsom was appointed to take the general command of the troops raised, which were divided into three regiments, commanded by Colonels John Stark, Enoch Poor and James Reed. Moses Emerson of Durham was chosen commissary for the

army. About that time the delegates to the Continental Congress represented New Hampshire's militia as organized into sixteen regiments of foot and two of horse, amounting to upwards of sixteen thousand men, tolerably well provided with arms and ammunition. In June and July, 1775, three companies of rangers were raised for the defense of the frontiers on Connecticut river, commanded by Colonel Timothy Bedel. These were discharged the following September. A company of artillery was raised for the defense of Portsmouth, and cannon were planted on the Parade under direction of a skilled engineer, Captain Ezekiel Worthen of Kensington. Batteries were erected to guard the main channel of the Pascataqua. That on the south end of Pierce's island was called Fort Washington, and the one on the opposite shore of Seavey's island near Henderson's Point, was called Fort Sullivan. A boom, made of discarded masts, was stretched across the main channel, but the force of the current carried it away. Then an old vessel was sunk to obstruct the passage of British men-of-war. The inhabitants of the Isles of Shoals were ordered to flee to the mainland. No powder could be obtained at Albany, and it was recommended to send for some at Philadelphia, where it was manufactured at the rate of two hundred pounds in a day. A bounty of fifty pounds was offered to the one who would manufacture the largest quantity of saltpetre, not less than one hundred pounds, within a year, and six pence per pound for any quantity above ten pounds.

The Provincial Congress issued a proclamation to the people of New Hampshire, signed by Matthew Thornton. "Duty to God, to ourselves, to posterity, enforced by the cries of slaughtered Innocents, have urged us to take up arms in our defense. Such a day as this was never before known, either to us or to our fathers." The people were urged to united action, under the guidance of committees chosen and to heed the counsels of the Provincial and the Continental Congress. Manufactures, especially of linen and woollen, were encouraged, and the farmers were asked to raise flax and increase their flocks of sheep. All were exhorted to temperance, sobriety and righteousness, and to the practice of "undefiled religion which embalmed the memory of our pious ancestors, as that

alone, upon which we can build a solid hope and confidence in the Divine protection and favor, without whose blessing all the measures of safety we have, or can propose, will end in our shame and disappointment."<sup>8</sup>

Major Sullivan wrote that the letters of Governor Wentworth to Lord Dartmouth revealed the fact that the governor was no friend to the patriots. This may have induced the convention to send the following letter to the governor, dated Exeter, June 8, 1775:

*May it Please your Excellency—*

Governor Gage, in a letter to the Earl of Dartmouth, dated 27th January, 1775, informed the British Ministry that your Excellency had applied to him for two Regiments of the British Troops, to be stationed at Portsmouth; and as it evidently appears, at this alarming period, that the British Troops are ministerial tools, sent to America to endeavor to enforce unconstitutional and tyrannical Acts of the British Parliament, by fire, sword, and famine, and as we humbly conceive it is your Excellency's duty, in your official capacity, to guard and defend the lives, liberty, and properties of the inhabitants of this Province, your Excellency sending for Troops to destroy the lives, liberties and properties you have solemnly engaged to defend and protect, conveys to our minds such shocking ideas, that we shall rejoice to find what is represented to be fact in said letter, to be farce. But as we have such information, duty to ourselves and our constituents obliges us humbly to desire your Excellency to give us such evidence as will enable us to know and inform our constituents what to expect.<sup>9</sup>

We now have to turn aside from the doings of the Congress at Exeter to note the movements of New Hampshire's militiamen. The regiment commanded by Colonel Enoch Poor was guarding the coast from Portsmouth to the Merrimack river and building fire-rafts for possible use against British ships entering the Pascataqua. The regiments under Colonel John Stark and Colonel James Reed were encamped at Medford, in the army that was besieging Boston. Information having been received that it was the design of General Gage to seize Charlestown and its heights, it was hastily determined to forestall the British, notwithstanding lack of powder and other munitions of war. The description of the battle of Bunker Hill belongs to American history and has been told too many times to need repetition here. The part taken in that battle

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<sup>8</sup> N. H. Prov. Papers, VII., 497-8.

<sup>9</sup> N. H. Prov. Papers, VII., 509-10.

by the troops of New Hampshire may need some emphasis, since it has been the aim of some writers to minimize it. One writer gives the main share of glory to General Israel Putnam, while another cites many witnesses to prove that Putnam was not in the fight at all, but was intrenching on Bunker Hill, while the battle was being waged on Breed's Hill.<sup>10</sup> The Massachusetts writers claim that Colonel William Prescott and General Joseph Warren were the leading spirits, and that Stark and Reed played an inferior part. After sifting evidences the bare facts seem to be as follows.

It was the plan of General Gage and his officers to seize the heights of Charlestown on the eighteenth of June. Somehow the Americans got knowledge of it, and on the night of the sixteenth Colonel William Prescott of Pepperell, commanding about one thousand men, two hundred of whom were from Connecticut, led by Captain Thomas Knowlton, assembled on Cambridge common, where prayer was offered by the Rev. Dr. Samuel Langdon, President of Harvard College, who for many years had been minister of a church at Portsmouth. Thence they marched under cover of darkness across the neck of land that separates the Mystic river from the Charles and passing by Bunker Hill intrenched themselves on Breed's Hill, a low eminence, only seventy-five feet above the water and half a mile nearer to Boston. A redoubt, eight rods square, was cast up before morning, under the direction of Richard Gridley, an engineer. Then General Putnam arrived and drew off about two hundred men with intrenching tools to fortify Bunker Hill, a work that was not completed and for which there proved to be no use. The Connecticut men under Knowlton took position at a rail fence two hundred yards in the rear of the redoubt and stretching toward Mystic river. Underneath the fence were some loose stone and thereon and interwoven with the fence and in front of it was placed new mown hay from the farm of John Fenton, the tory, named in the preceding chapter. Word was sent to General Ward for reinforcements, but he was loth to send any, fearing that the movement of the enemy was only a feint and that Cambridge would be attacked. After the

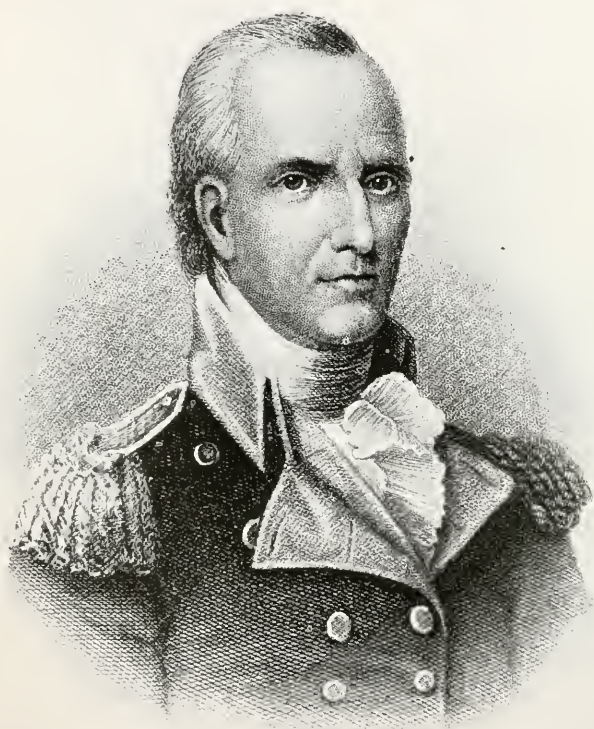
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<sup>10</sup> Sketch of Bunker Hill Battle, by Samuel Swett; and reply to the same, with Inquiry into the Conduct of General Putnam, *anonymous*, Boston, 1819.

British had landed at the point nearest Boston the regiments of Stark and Reed arrived, marching coolly across the neck under fire of cannon from several ships. Someone suggested to Stark to quicken the step, but he replied, "One fresh man in action is worth ten fatigued ones," and strode along. At a glance he saw the opening between the Connecticut troops and the Mystic and without waiting for orders drew up his men behind the rail fence and fortified with grass, as Knowlton was doing. At the end of the fence and close to the river loose stones were thrown up for a breastwork, using such intrenching tools as nature gave to all. The breastwork was probably a mixture of stones, dirt, wooden rails and new mown grass, made thick enough to stop bullets and as protective as cotton bales were at New Orleans some years later. Meanwhile the men in the redoubt and behind the fence were under fire of guns on British ships and from a battery erected on Copp's Hill in Boston. Joseph Warren had arrived as a volunteer, refusing command and only desirous to share the danger and honor and to learn the art of war.

A tablet on Bunker Hill monument says that fifteen hundred American troops took part in this battle, opposed to two thousand British. Both estimates are probably too low. The tablet goes on to say, that "The American troops were mainly from Massachusetts, bravely assisted by two regiments from New Hampshire and a small force from Connecticut. Prescott and Putnam shared the honors of the day." Let us examine this a little. Colonel Prescott was from Pepperell, living a little south of the town line of Hollis. This fact may have induced many from Hollis to join his regiment. Captain Reuben Dow commanded a company of fifty-nine Hollis men and these helped to build the redoubt on the night of the sixteenth and fought therein. Of this number six were killed in the battle. Four other men from Hollis were in the company of Joseph Mann of Groton and were numbered as Massachusetts men. The muster rolls of Colonel Prescott's regiment show the names of men from Londonderry, Chester, Amherst, Merrimack, Brookline, Dunstable and other New Hampshire towns. The regiments of Stark and Reed contained nine companies each, consisting of at least nine hundred men, and some authorities say





*John Stow*

over one thousand. A return of Reed's regiment June fourteenth, only three days before the battle, shows four hundred and eighty-eight effective men. Stark's regiment contained five hundred and eighty-two men, after deducting the sick. Captain Knowlton's Connecticut men numbered two hundred. If the Massachusetts men made up the majority, what were they all doing, defending a front of eight rods within the redoubt, while the minority of Connecticut and New Hampshire men were defending a line about three hundred rods long; as Bancroft estimates it? He allows only seven or eight hundred men to Colonel Prescott, including the men from Hollis and from Connecticut. There were, then, only about five hundred men from Massachusetts in the battle of Bunker Hill, while New Hampshire furnished twice that number, or to be more exact, the total number of men from New Hampshire in the battle was one thousand one hundred and thirty-seven.<sup>11</sup> There must have been more than fifteen hundred Americans engaged, probably nearer two thousand, and the estimate of the British troops should be raised from two thousand, as reported by General Gage, to nearly three thousand, but in any case New Hampshire had more men in the fight than Massachusetts and Connecticut together. They did more fighting and have made less noise about it in history.

There were really two battles in Charlestown. One was at the redoubt on Breed's Hill; the other was along the line of the stone wall and rail fence. There was no general commanding officer over the Americans. Stark and Reed took their stand where they saw the greatest need and fought independently of Colonel Prescott. Events proved that their military judgment was correct. The Royal Welsh Fusileers, flower of the British army and directly commanded by General Howe, formed as on dress parade and marched gaily up to unexpected death. Stark went out in front of his line and thrust a stake into the ground, ordering his men not to fire till the enemy reached that stake and he gave the word of command. The aim of practiced marksmen was low and sure, while the bullets of the British went over the heads of the Americans. At

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<sup>11</sup> McClintock's Hist. of N. H., p. 351.

the word "Fire" a flash of light was seen all along the line. The British line staggered and fell. Such deadly marksmanship had never been met before. Nothing could withstand it. To advance further was sure death. Volley after volley sent the British back out of gunshot, to be rallied and reinforced and come back to a similar reception and repulse. Their dead covered the ground "as thick as sheep in a fold," as Stark afterwards reported. At the redoubt they waited till the British, encumbered with their knapsacks, came up the hill till within twelve, eight, six, five, four rods, according to different reports and at different charges, before the order was given by Prescott to fire. The enemy never got as near as that to the rail fence and breastwork of hay. At longer range the New Hampshire men, some of whom had been with Roger's Rangers, were sure to hit the mark. After two disastrous charges the attack on the breastwork was abandoned and the British troops were massed against the redoubt. Here there was need of reinforcements and of more powder. The few pieces of artillery proving to be of no use, the cartridges were torn open and the powder distributed, some men receiving it in powder horns and some in their vest pockets. Both Stark and Prescott afterwards asserted that they were not supported by Putnam as they should have been. He seems to have been riding here and there, seeking reinforcements, intrenching with two hundred men on Bunker Hill, men that ought to have been in the battle, in fact, too busy to do much.

Lack of ammunition made the men at the redoubt give way, as they were attacked the third time, on three sides, preceded by cannonading. Then the New Hampshire men left the rail fence and protected the retreat of their comrades. Swept by artillery as they crossed Charlestown neck, they lost more men here than in the battle. Here fell the gallant Major Andrew McCleary of Epsom, whose powerful form, stentorian voice and dauntless spirit had inspired others to noble deeds. A chance shot from a cannon released his lofty spirit. He was buried at the expense of the Provincial Congress. The Americans all withdrew from Charlestown in fair order, since the British were too much spent to pursue, and encamped on Prospect Hill, where, it is said, General Putnam first *assumed* command. Tech-

nically the British won the battle, but it was to them the most costly victory that could be imagined. There were only twenty-seven half-barrels of powder in the whole American army about Boston. Had the troops of Prescott, Stark and Reed been well supplied with powder and bayonets, the British would have been routed and captured. As it was they lost over one thousand men in killed and wounded, while the loss of the Americans was less than half that number. The British artillery did more damage than their infantry, setting fire also to the village of Charlestown, which was wholly destroyed, while thousands of friends and foes looked on the scene of carnage and conflagration from steeples, housetops and hills.

Concerning the burning of Charlestown John Langdon wrote to Matthew Thornton, words that are just as applicable now to events going on in Europe:

The low mean revenge and wanton cruelty of the ministerial sons of tyranny, in burning the pleasant town of Charlestown, beggars all description; this does not look like the fight of those who have so long been Friends, and would hope to be Friends again, but rather of a most cruel Enemy, tho' we shall not wonder when we reflect that it is the infernal hand of Tyranny which always has and ever will Delluge that part of the world which it lays hold of in Blood.<sup>12</sup>

In all accounts of the battle nothing is said about Colonel James Reed except the fact that he was there with his regiment, along side of Stark's regiment at the rail fence. Doubtless he rendered as good service as Stark, but he was not so spectacular. He made no striking remarks, but quietly did his whole duty. About a year later he was made brigadier-general by Congress, on the recommendation of General Washington. Sickness obliged him to retire from the army to Fitzwilliam, his home. Thence he removed to Keene. He was afflicted with blindness in old age, but was highly esteemed for honesty and integrity. He died at Fitchburg, Massachusetts, February 13, 1807, at the age of eighty-three, and was buried with military honors.

But the glory of Bunker Hill should not be divided among Prescott, Putnam, Stark and Reed. It belongs equally to the private soldiers who fought as volunteers. They were a rudely

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<sup>12</sup> N. H. Prov. Papers, VII., 558.

armed peasantry that had learned to shoot and face danger by hunting and Indian fighting. There were scores of men in the ranks that could have taken command as well as their colonels, and they were just as brave and devoted. One was Benjamin Pierce, afterward Major-General and Governor of New Hampshire. Another was Dr. Henry Dearborn of Nottingham, afterward Colonel, member of Congress, Secretary of war, senior Major-general in the war of 1812, and minister plenipotentiary to Portugal. The New Hampshire troops lost one hundred and seven, killed and wounded in the battle. Stark's regiment suffered most, having fifteen killed and forty-five wounded.

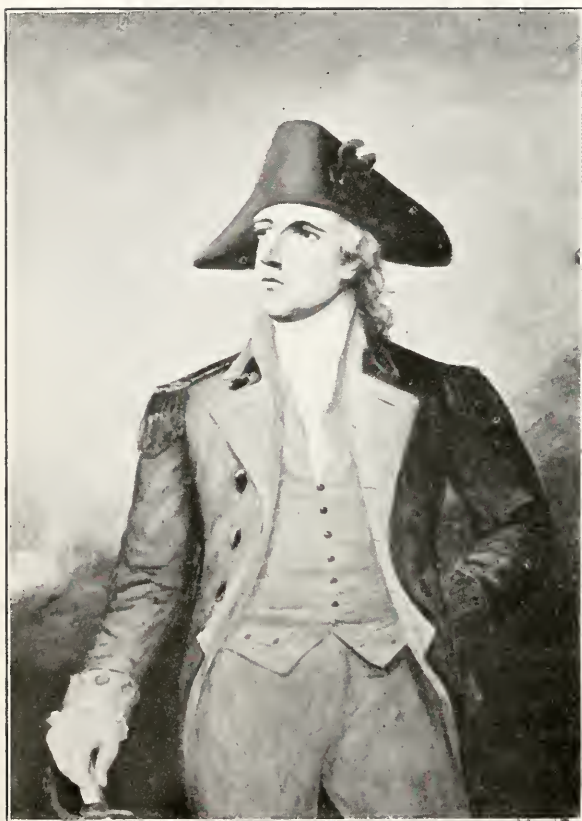
It was well known that there was intense rivalry between Colonel Nathaniel Folsom and Colonel John Stark. Each wanted to be appointed brigadier general. Folsom wrote to the Provincial Congress at Exeter that Stark was insubordinate. A few days later he took back what he had written, since an agreement had been effected. The Continental Congress, on the twenty-second of June, elected eight brigadiers, and setting aside the claims of both Folsom and Stark they named Major John Sullivan as one of them.

General John Sullivan was probably born in Somersworth, February 17, 1740.<sup>13</sup> He was son of John Sullivan, an Irish schoolmaster, who married Margery Browne. He was educated mainly by his father and studied law with Judge Samuel Livermore of Portsmouth, settling in Durham as its first lawyer soon after 1760. He purchased in 1764 of the heirs of Dr. Samuel Adams the house now known as the Sullivan House and owned by a descendant of his brother, Governor James Sullivan of Massachusetts. He is mentioned in the town records of Durham as overseer of the poor, in 1771. He soon became well known as a lawyer of learning, eloquence and forensic ability. Prosperity enabled him to erect six mills in Durham for varied manufactures, which finally involved him in debt. He was commissioned major in 1772. We have seen the part that he took in the capture of military stores at fort William and Mary in December, 1774, for which act he was threatened with death. New Hampshire sent him as delegate to the Continental Congresses of 1774 and 1775, where he took an active

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<sup>13</sup> See Appendix A.





ALEXANDER SCAMMELL

part and urged the declaration of independence. After his appointment as brigadier general in 1775 he served during the siege of Boston and in the expedition to Canada, conducting the retreat. He was promoted to be major-general July 29, 1776. In the engagements about New York he was captured and soon exchanged, and he took part in the battles of Trenton, Princeton, Brandywine and Germantown. He spent the winter at Valley Forge and commanded the expedition to Rhode Island. The Indian murderers of Wyoming were scourged out of the Susquehanna valley under his leadership, for which service monuments have been erected in his honor. Because of impaired health and the pressing needs of his family he resigned his office in November, 1779, and was again elected to Congress in 1780 and 1781. He held the office of attorney general from 1782 till 1786. A son and a grandson have held the same office. General Sullivan had a prominent part in the formation of the Constitution of New Hampshire and was thrice elected president, or governor of the State, 1786-7, 1789. He also served as speaker of the House. President Washington made him first Judge of the United States District Court of New Hampshire, in which office he died. He was the first Grand Master of the Grand Lodge of Free Masons of New Hampshire, and the first president of the New Hampshire branch of the Society of the Cincinnati. His patriotism and ability in war and in peace have been recognized by the state in the erection of a granite monument directly in front of his residence in Durham, on the spot where, as tradition says, he stored some of the powder taken from fort William and Mary, under the pulpit of the church then standing there. He died at Durham, January 23, 1795, having greatly honored the state in peace and in war.<sup>14</sup>

It was, doubtless, at the suggestion of Sullivan that Alexander Scammell was commissioned as brigade major. He was a clerk, or student, in Sullivan's law office at Durham. He was born in Milford, Mass., in 1744, son of Dr. Samuel Scammell, who came from Plymouth, England, in 1738. He graduated at Harvard College in 1769 and was employed as a school teacher

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<sup>14</sup> Hist. of Durham, N. H., 135-8; Amory's Life of Sullivan; Master John Sullivan of Somersworth and Berwick and His Family, by John Scales, A.M., in Proceedings of N. H. Hist. Society, IV., 180-201.

in Kingston and Plymouth, Massachusetts, and in Berwick, Maine. For a year he served as a surveyor in exploring territory in Maine and New Hampshire and was one of the proprietors of Shapleigh, Maine. He entered the office of Sullivan sometime in 1773 and was one of the committee in Durham to apply the Association Test, November 28, 1774, although there is no record that the test was ever applied in that town. Tradition has it that he pulled down the flag at the capture of fort William and Mary, but this needs further evidence. It is said, too, that he was at the battle of Bunker Hill, but this also may be questioned. He was promoted to be deputy adjutant general in 1776. He crossed the Delaware in the same boat with Washington as his special aid, and took part in the battles of Trenton, Princeton and Saratoga. In the campaign against General Burgoyne he was colonel of the First and then of the Third New Hampshire regiments. Though wounded he kept the field and witnessed the surrender of Burgoyne. In 1778 he was commissioned adjutant-general of the army. At the battle of Monmouth he was aid to Washington, rallied the troops and led the charge. Washington said of him, "The man who inspired us all to do our full duty was Alexander Scammell." He commanded the Light Infantry in the march into Virginia, was captured and wounded at the battle of Yorktown and died of his wound six days after, October 6, 1781, aged 31. He was buried at Williamsburg, Virginia. All historians speak of him in highest terms of praise, as a favorite with Washington, admired by Lafayette, wise in counsels and brave in battle. His portrait hangs in New Hampshire's Hall of Fame, telling more than words can of his noble character and dauntless spirit.

The Congress at Exeter sent a committee to order Theodore Atkinson to deliver the records of the province to them, which he allowed them to take, as he could make no resistance, and they were delivered to Ebenezer Thompson, as the new Secretary of State. Thus ended the official career of Theodore Atkinson, a man who had been very efficient in office and faithful in the discharge of his duties. His son, Theodore Atkinson, Jr., held the office for a few years, and on his early decease his father resumed the office, and his widow was taken by Gov.

John Wentworth only two weeks after the death of her first husband. She was a cousin to both and a very estimable lady.

At the same time George Jaffrey, as treasurer of the province, was asked to exhibit his accounts and deliver all money in his possession to the newly elected treasurer, Nicholas Gilman of Exeter, which he did, amounting to over fifteen hundred pounds. Thus the records were sent to Exeter, where they remained for over a century, and for a time Exeter became the capital of the State, all General Assemblies being held there. It was feared that the old custodians of records could not be safely trusted in revolutionary times and that British men-of-war might attack Portsmouth and possibly burn it, as they did Charlestown and Falmouth, now Portland.

The Provincial Congress made three quickly succeeding issues of paper money, amounting to forty thousand pounds, to pay the soldiers and other military expenses, hoping for reimbursement from the Continental Congress in due time. The emissions were in small notes, which passed for silver and gold for a little time, but soon began to decline in value, as more such issues were made and the war dragged on. These bills of credit were also counterfeited, which made matters still worse. The sinews of war were about as scarce as powder and General Sullivan wrote that in the whole army about Boston there were in August only thirty-eight barrels. This was kept a secret, so far as possible, and barrels of sand were stored in the powder house, to deceive any who might be spies. The lack of powder and proper munitions of war was the source of greatest anxiety to Washington, and when the British evacuated Boston, leaving behind more powder than the American army possessed, a burden was lifted from many a heart. Toward the last of August General Sullivan wrote to the Congress at Exeter concerning the activity of his forces at Winter Hill. He had taken possession of Plowed Hill, near the enemy's encampment at Charlestown, and there was heavily cannonaded throughout a day. Floating batteries and an armed vessel attempted to enfilade his ranks, but he had prepared a battery to offset such an attack, and the sloop's foresail having been shot away she sheered off. One floating battery was sunk and another injured. Then the enemy sent a man-of-war

around to Mystic river, threw some bombs and discharged cannon that killed three or four men. Sullivan said he was unable to send any powder to the committee of safety, as the army had only half a pound to a man.<sup>15</sup>

General Sullivan wanted blank commissions sent to him, that he might appoint his own subordinate officers, but the committee of safety replied that they had no power to delegate to any person the power that had been entrusted to them by vote of the Provincial Congress. They asked him to send his nominations to them, and unless there were serious objections, doubtless such nominations would be confirmed, and he cheerfully acquiesced in their decision.

In October, 1775, the ship, *Prince George*, from Bristol, England, was captured as she was entering Portsmouth harbor. She was laden with eighteen hundred and eighty barrels of flour, designed for the army of General Gage in Boston. After correspondence with General Washington about five hundred barrels of it were reserved for the soldiers and citizens of Portsmouth, and the rest was sent to feed the continental army. At this time there were only seventeen barrels of powder in the vicinity of Portsmouth, with which to defend three batteries and supply the militia. They were informed that Captain Mowat, a Scotchman, was about to sail to bombard Portsmouth and burn the town, he having three armed transports. Everybody was alarmed and troops were rushed to the fortifications. It was this man who was responsible for the burning of Falmouth, now Portland. A great number of fire-rafts were made ready for the destruction of any hostile vessels, and these were so neglected after the alarm subsided that they became of no use and involved great waste of property. The rafts were constructed at Newington, Berwick and other towns and floated down the river to convenient stations. A roughly made pontoon bridge was constructed, to connect Great Island with the mainland.

In all these preparations for defence no one was more active than Dr. Hall Jackson, who had charge of the battery on the Parade. He was a very skillful surgeon and after the battle of Bunker Hill spent much time in caring for the wounded,

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<sup>15</sup> N. H. Prov. Papers, VII., 581.

trusting to the Continental Congress to suitably reward him. On his return to Portsmouth he says that his whole time was taken up in laying fortifications at Kittery and New Castle, in preparing ammunition for field pieces, in raising and exercising the artillery company and in hearing and administering to the innumerable complaints of the soldiers in regard to their health.<sup>16</sup>

All these preparations for defense of Portsmouth were completed under the direction of General John Sullivan, who had been dispatched by General Washington for that purpose. He was greatly annoyed by the Tories of the town and thus wrote to General Washington concerning them, "That infernal crew of Tories, who have laughed at the Congress, despised the friends to liberty, endeavored to prevent fortifying this harbor, and strove to hurt the credit of the Continental money, and are yet endeavoring it, walk the streets here with impunity; and will, with a sneer, tell the people in the streets that all our liberty-poles will soon be converted into gallows. I must entreat your Excellency to give some directions what to do with those persons, as I am fully convinced that if an engagement was to happen, they would with their own hands set fire to the Town, expecting a Reward from the Ministry for such hellish service. Some who have for a long time employed themselves in ridiculing and discouraging those who were endeavoring to save the Town, have now turned upon me and are flying from one street to another, proclaiming that you gave me no authority or license to take ships to secure the entrance of the harbour or did anything more than send me here to see the Town reduced to ashes, if our enemies thought proper. Sir, I shall wait your directions respecting these villains, and see that they are strictly complied with by your Excellency's most obedient servant."<sup>17</sup>

In reply to this letter General Washington advised General Sullivan to seize every officer of government at Portsmouth who had given proofs of unfriendly disposition towards the cause of the patriots and to take opinion of the Provincial Congress or committee of safety in what manner to dispose of them.

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<sup>16</sup> N. H. Prov. Papers, VII., 653-4.

<sup>17</sup> N. H. Prov. Papers, VII., 636.

He suggested that some might be sent into interior towns, upon parole not to leave them till released. The Tories were allowed time to reform in their conduct and were carefully watched. In consequence of this advice the Provincial Congress ordered that Isaac Rindge, William Hart and George Jaffrey of Portsmouth withdraw fifteen miles into the interior, that Peter Gilman confine himself to Exeter, that William Torry and Captain Nathaniel Rogers confine themselves to Newmarket. These were liberated from such confinement after about six weeks. A special committee was appointed by the Provincial Congress to try Captain Benjamin Sumner, Samuel Cole, Esq., the Rev. Ranna Cossit and Eleazer Sanger, persons reported to be enemies to the liberties of the country, and the fine or imprisonment was left to the discretion of the committee, rather a dangerous and revolutionary power, yet we have no record that it was abused.

In the fall of 1775 an expedition against Canada was led by General Montgomery, in which Colonel Timothy Bedel with his regiment of rangers from the Coos country had a conspicuous part, especially in the capture of Chambly and St. Johns. This popular commander for thirty years had great influence in northern New Hampshire. He served as lieutenant and captain in the French and Indian wars and on the sixth of June, 1775, he was made colonel of a regiment of rangers, designed for service on the northern and western frontiers to protect against invasions of Indians and Canadians. In September, 1775, he assembled all his men at Haverhill, where they received provision for ten days, and thence marched to the mouth of Onion, now Winooski river, to join the army under Major-General Schuyler. Their line of march was through the wooded wilderness, guided by spotted trees. After the capture of Chambly he with about twelve hundred men besieged St. Johns, which surrendered after fifty days, without the loss of a single man in Colonel Bedel's command. This opened the way for the capture of Montreal by General Montgomery. Subsequently he had charge of a post called the Cedars, and while he was absent in an endeavor to secure the friendship of a tribe of Indians, after which he was prostrated with small pox, the Cedars was attacked by the British and their Indian allies. Major Butterfield surrendered,

and many outrages were committed on the prisoners. Colonel Bedel was accused by the notorious Benedict Arnold of quitting his post in the presence of the enemy. He was found technically guilty and dismissed from the army, yet soon after volunteered in a military company and in November, 1777, was again appointed colonel by the Continental Congress for the defense of the northern frontier. He did good service for the State throughout the war and as an official and counselor in the formation of the State Constitution.<sup>18</sup>

After the return of General Sullivan to Winter Hill the army besieging Boston was threatened by the loss of the troops from Connecticut, whose term of enlistment ended on the sixth of December. They demanded a special bounty to induce them to remain till the first of January. General Sullivan wrote to the committee of safety, asking that New Hampshire would send volunteers to take the places of the "cowardly poltroons," as Sullivan calls them, who began to leave their places by companies even six or seven days before their period of enlistment expired. "What has possessed these vile poltroons remains yet a secret," wrote Sullivan. "It is to their eternal infamy." He asked for thirty-one companies of sixty-four men each, making a total of one thousand nine hundred and eighty-four officers and men, whose term of service should be from the tenth of December to the fifteenth of January. "I earnestly entreat you for the honor of New Hampshire to show the world your attachment to the noble cause. Let the worthless sons of Connecticut know that the other Colonies will not suffer our lines to be given up or our country destroyed, nor the sons of New Hampshire (like those parsimonious wretches) want to be bribed into the preservation of their liberties. I hope the eager greed with which the New Hampshire forces will march to take possession of and defend our lines will evince to the world their love of liberty and regard to their country; as you find the business requires such infinite haste, I must entreat you not to give sleep to your eyes or slumber to your eyelids till the troops are on their march." New Hampshire responded to this urgent call with the same alacrity and zeal that sent them for-

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<sup>18</sup> See Address of Judge Edgar Aldrich in Proceedings of the New Hampshire Hist. Society, Vol. III., pp. 194-231.

ward to the call of Lexington and Bunker Hill. The province already had in active service more than three thousand men. The committee of safety determined to respond to General Sullivan's call on the second of December, and two thousand and fifty-eight volunteers marched at once to aid in the siege of Boston, where they remained until the British evacuated that city. Thus New Hampshire had in the field, in December, 1775, more than five thousand men, or one for about every sixteen of her population. General Sullivan thus wrote to the committee of safety, "General Washington and all the other officers are extremely pleased and bestow the highest encomiums on you and your troops, freely acknowledging that the New Hampshire forces, for bravery and resolution far surpass the other Colonies and that no province discovers so much zeal in the common cause."<sup>19</sup>

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<sup>19</sup> N. H. Prov. Papers, VII., 685.

## Chapter V

# INDEPENDENCE



## Chapter V

### INDEPENDENCE.

Tentative Government—Political Views of General Sullivan—No Desire for Independence at first—Forced to it at last—Plan of Representation Unsatisfactory to Some—Census of 1775—The Provincial Congress Takes up Civil Government—Were Two houses necessary?—Opposition of Portsmouth and Other Towns—Popular Feeling as Expressed by Belknap—Adoption of Report on Independence in New Hampshire—Declaration at Philadelphia—Association Test—Treatment of Tories—Proscription and Confiscation—Benjamin Thompson, or Count Rumford—William Stark.

**D**URING the latter part of 1775 New Hampshire was virtually without a government. The old laws and customs prevailed by force of habit. The Provincial Congresses were voluntary associations and they could give only advice. With the departure of Governor Wentworth the province was left without an executive, and the commissions of many officials had been withdrawn. The necessity was everywhere recognized of coming to some mutual agreement, and the Provincial Congress, made up of delegates from nearly all the towns, was the body to take the initiative in the movement towards independence. On the thirteenth of November, 1775, the assembly chose a "committee to frame and bring in a plan for the future representation of the people of this colony."

The most thoughtful men were inquiring of one another, what shall we do? There was a continual correspondence between the leading men of the colonies. Statesmen were seeking to formulate the best kind of government. They wanted to avoid the errors of the old world and to make its oppressions impossible, and yet they had not learned to trust the whole people. Aristocracy was still in the ascendency. The opinion of General Sullivan was sought, who already, in the Continental Congress, had urged independence of Great Britain. His views are set forth in a letter to Meshech Weare. The controlling aim of government should be the good of the people. The

British government was imperfect and unstable, because its branches often clashed. The Commons and the Lords each sought to overrule the other. A third power, vested in the king, only sought to keep the other two in awe, till it was able to destroy them both. Men boasted of the English Constitution who knew little or nothing about it. It would work its own downfall. "No danger can arise to a State from giving the people a free and full voice in their own government." The checks of designing and ambitious men upon the power of the people are unnecessary. It is the misconduct of rulers that has sometimes awakened the rage of the people, to the overthrow of the State in blood. If the people had more power and the rulers less, it would be to the advantage of all. The dictators of ancient Rome had too much power and this must always lead to either slavery or revolution. The tyrant must be slain, even if in doing so anarchy and riot are brought in for a little time. Sometimes the people will submit to another tyrant in order to expel anarchy. "I would advise to such a form of government as would admit of but one object to be kept in view, both by the governor and governed, viz., the good of the whole, that one interest should unite the several governing branches, and that the frequent choice of the rulers, by the people, should operate as a check upon their conduct and remind them that a new election would soon honor them for their good conduct, or disgrace them for betraying the trust reposed in them." The governor should be chosen by the people for a term not longer than three years, chosen directly by the votes of the people and not by the votes of their representatives, who might sometimes combine to defeat the wishes of the people, who can never be supposed to have anything else in view but the true end of government, viz., their own highest good, unless we suppose them idiots or self-murderers. He also favored a Council and a House of Representatives, both to be chosen directly by the people, and not removable by the governor, who should have no power of negating the Speaker of the House. The bribing of voters by treating or in other ways should incapacitate a person for holding office. The check list should be used in voting and every precaution to prevent fraud. The governor's veto should be set aside by a renewed decision of the Council

and House, and he should be answerable to the people for every act of government. Altogether it is a remarkable letter, and it shows that John Sullivan was as much a statesman as a soldier. Many of his opinions, as here expressed, had been derived from a study of the laws of Pennsylvania and conference with members of the Continental Congress.<sup>1</sup>

The connection with Great Britain was broken with great reluctance, and many could not tolerate such an idea. Portsmouth, in public town meeting, instructed its delegates to the Provincial Congress to totally disavow the charge that "we are aiming at independency," and they affirmed that the present oppressive measures are not countenanced by the British nation in general. "Rather they are the schemes of a set of men lost to every sentiment of true honor, and sunk into a state of dissipation and luxury, which they are endeavoring to support by subjugating the most loyal subjects their master could boast of."

The committee appointed to report a method for representation made its report on the fourteenth of November, 1775. It was, that every legal inhabitant paying taxes shall be a voter; that every person elected shall have real estate in the colony to the value of two hundred pounds; that no person should be allowed a seat in Congress who should obtain election by means of treating with liquors either before or after his election; that there should be eighty-nine representatives chosen, of which number Rockingham county was to have thirty-eight, Strafford thirteen, Hillsborough seventeen, Cheshire fifteen and Grafton six. The smaller towns, having a population of less than one hundred freeholders, were classed with similar towns to send a single representative, while Portsmouth had three representatives, and several other towns had two.

This last provision did not suit at all some of the smaller towns on the Connecticut river. In the State of Connecticut, whence many of their settlers came, each town had comparative independence, its own registry of deeds and probate records, and so it is unto this day in that State and in Rhode Island. They contended that every town, however small, ought to be

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<sup>1</sup> N. H. Prov. Papers, VII., 685.

represented in the State Legislature, and the persistence of this idea may account somewhat for the unusually large number in the New Hampshire House of Representatives today. The towns also claimed later that a person qualified to vote should thereby be qualified to hold office, regardless of the amount of property he possessed.

The delegates were chosen for a year and had the power on recommendation of the Continental Congress to resolve themselves into a House of Representatives for stable government. Each town was to pay the expenses of its delegate, and the expense for travel was to come out of the treasury of the colony. The plan as here outlined was adopted, and the Fifth Provincial Congress assembled at Exeter, December 21, 1775. Matthew Thornton was chosen president, Ebenezer Thompson secretary, with Noah Emery for his assistant.

In order to get a proper basis for representation a census of the colony had been taken in 1775, when it was found that the population of Rockingham county was 37,850, of Strafford 12,713, of Hillsborough 16,447, of Cheshire 11,089, and of Grafton 4,101, making a total of 82,200. Portsmouth then had a population of 4,590, Londonderry 2,590, and then followed in numerical order Exeter, Dover, Barrington, Charlestown, Epping, Rochester and Amherst.

The Continental Congress had resolved, November 3, 1775, "That it be recommended to the Provincial Convention of New Hampshire to call a full and free Representation of the People, and that the Representatives, if they think it necessary, establish such a form of Government as in their Judgment will best produce the Happiness of the People and most effectually secure peace and good order in the Province during the continuance of the present Dispute between Great Britain and the Colonies."

Accordingly on the twenty-eighth of December, 1775, the Provincial Congress voted to "take up Civil Government to continue during the present contest with Great Britain, and resolve themselves into a House of Representatives and then choose a Council to continue one year from the twenty-first day of December current." Agreeably to this, on the fifth of January, 1776, it was voted to take up Civil Government for this Colony in manner and form following:—

We the members of Congress of New Hampshire Chosen and Appointed by the free Suffrages of the People of said Colony, and Authorized and Impowered by them to meet together, and use such means and pursue such Measures as we Should judge best for the Public Good; And in Particular to establish some Form of Government, Provided that Measures should be recommended by the Continental Congress; And a Recommendation to that purpose having been Transmitted to us from the Said Congress; Have taken into our Serious Consideration the Unhappy Circumstances, into which this Colony is Involved by means of many Grievous and Oppressive Acts of the British Parliament, Depriving us of our Natural & Constitutional rights & Privileges; To Enforce Obedience to which Acts, A Powerful Fleet and Army have been Sent into this Country by the ministry of Great Britain, who have Exercised a Wanton & Cruel Abuse of their Power in Destroying the Lives and Properties of the Colonists in many Places with Fire & Sword; Taking the Ships & Lading from many of the Honest and Industrious Inhabitants of this Colony Employed in Commerce, agreeable to the Laws & Customs a long time used here, The Sudden & Abrupt Departure of his Excellency John Wentworth, Esqr., our late Governor, and Several of the Council, Leaving us Destitute of Legislation, and no Executive Courts being open to Punish Criminal Offenders; whereby the Lives and Property of the Honest People of this Colony are Liable to the Machinations & Evil Designs of wicked men; THEREFORE for the Preservation of Peace and good order, and for the Security of the Lives and Properties of the Inhabitants of this Colony, We Conceive ourselves Reduced to the Necessity of establishing A FORM OF GOVERNMENT to Continue During the Present Unhappy and Unnatural Contest with Great Britain; PROTESTING & DECLARING that we Never Sought to throw off our Dependence upon Great Britain, but felt ourselves happy under her Protection, while we Could Enjoy our Constitutional Rights and Privileges,—And that we Shall Rejoice if Such a reconciliation between us and our Parent State can be Effected as shall be Approved by the CONTINENTAL CONGRESS in whose Prudence and Wisdom we confide. Accordingly Pursuant to the Trust reposed in us, WE DO RESOLVE That this Congress Assume the Name, Power & Authority of a house of Representatives or Assembly for the Colony of New Hampshire. And that Said House then Proceed to Choose Twelve Persons being Reputable Freeholders and Inhabitants within this Colony, in the following manner viz, Five in the County of Rockingham, Two in the County of Strafford, Two in the County of Hillsborough, Two in the County of Cheshire, and one in the County of Grafton, to be a Distinct and Separate Branch of the Legislature, by the Name of A COUNCIL for this Colony, to continue as Such untill the Third Wednesday in December next any Seven of whom to be a Quorum to do Business, That Such Council appoint their President; and in his absence that the Senior Councillor Preside.

That a Secretary be appointed by both Branches, who may be Councillor, or otherwise as they shall Choose.

That no act or resolve shall be valid & put into Execution unless agreed to and passed by Both Branches of the Legislature.

That all Public Offices for the Said Colony, and each County, for the Current Year, be appointed by the Council & Assembly, Except the Several Clerks of the Executive Courts, who shall be appointed by the Justices of the respective Courts.

That all Bills, Resolves, or votes for Raising, Levying & Collecting money Originate in the House of Representatives.

That at any Session of the Council and Assembly Neither Branch shall Adjourn for any Longer time than from Saturday till the next Monday without Consent of the other.

And it is further Resolved, That if the present unhappy Dispute with Great Britain Should Continue longer than this present year, & the Continental Congress Give no Instruction or Direction to the Contrary—The Council be chosen by the People of Each respective County in such manner as the Council & House of Representatives shall order.

That General & field officers of the Militia, on any Vacancy, be appointed by the Two houses and all Inferior officers be chosen by the respective Companys.

That all officers of the Army be appointed by the Two houses, Except they should Direct otherwise in case of any Emergency.

That all Civil officers for the Colony & for each County be appointed and the time of their Continuance in office be determined by the Two houses, Excepts Clerks of Courts, & County Treasurers, & recorders of Deeds.

That a Treasurer and a recorder of Deeds for Each County be Annually chosen by the People of Each County Respectively the votes for Such officers to be returned to the respective Courts of General Sessions of the Peace in the County, there to be ascertained as the Council & Assembly Shall hereafter Direct.

That Precepts in the name of the Council & Assembly signed by the President of the Council & Speaker of the House of Representatives shall Issue annually at or before the first day November for the choice of the Council and House of Representatives to be returned by the third Wednesday in December then next Ensuing in such manner as the Council & Assembly Shall hereafter Prescribe.

Belknap says that this convention “was composed chiefly of men who knew nothing of the theory of government, and had never before been concerned in public business.” He must have been personally acquainted with many of the members of the convention, and his judgment has weight. Nevertheless, the public record of many men who composed this assembly proves that they were not ordinary men, and, moreover, they

had the advice and counsel of the ablest men in the colony and indeed of other colonies. In every state legislature a few men of brains and education lead the rest, and it must have been so then. Meshech Weare and Matthew Thornton were a host in themselves, and they were aided by such men as John Sullivan, John Langdon, Noah Emery, Wyseman Clagett, and a lot of hard-headed merchants and farmers, who had more good sense than book learning. Belknap adds, that "in the short term of six months they acquired so much knowledge by experience, as to be convinced, that it was improper for a legislative assembly to consist of one house only." Here the historian only expresses the common opinion of his times, an opinion formed by the prevailing customs of European nations. That opinion still prevails largely, because it is so difficult to cast out an ancient error and to admit a new and revolutionary idea. It is beginning to be mistrusted that two branches of legislation are not a necessity, and that the form of government set up in the various States after the Revolution was dictated by the aristocracy to safeguard their own power. The Upper House was meant as a check upon the Lower. The Senate was given power to overrule the Representatives of the people. The people as a whole could not be trusted by those who wanted to hold the reins of authority. Hence an Upper House, and a governor or president with power of veto, and a supreme court to declare the wishes of the people to be unconstitutional, and the binding of future generations to an ancient form of words, that can be interpreted in many ways, to suit circumstances. If the whole people can not be trusted, would it not be better to limit the suffrage to those who can be trusted and then let their will, their growing wishes and convictions be the highest law? Let not the dead hand rule our thinking as well as our estates. The opinion is growing that the House of Lords has been a hindrance to the development of England. The Senate of the United States has sometimes blocked the wheels of progress. The Upper Houses of the States are often controlled by the rich. Is it not getting to be about time to try the experiment of one house of legislation, that shall truly represent the voice of the entire people?

There was diversity of opinion about this new form of

government. The assembly received petitions from Portsmouth, Dover, Newington, Rochester, Stratham, North Hampton, Rye, Newmarket, Kensington, Greenland and a part of Brentwood against the steps proposed. It is noticeable that the petitions came from the oldest towns, where the people had lived longest under British rule. None of the new towns sent such petitions. The progressive West was opposed to the conservative East then as now. The newly settled countries have made most of the advances in civil government, and it is so hard for the old States to take lessons from them. It is like the aged accepting the counsels of the young. "Just wait till you are as old as I am; you'll know more by-and-by." A protest signed by people of several towns was presented by Pierce Long and Samuel Sherburne. It objects to the way in which consent of the Continental Congress was obtained, by importunity of delegates there, and quite otherwise than unanimous. It was presumptuous for a small colony like New Hampshire to take the lead in such a grave matter, while New York and Virginia have not attempted nor desired anything of the kind. The aim of the Provincial Congress was meant by the electors to be, to set the judicial and executive wheels in motion, not to start a revolution. The Congress had assumed power which had not been conferred and thereby would add great expense to the colony. The great objection seems to have been the closing one, "It appears to us too much like Setting up an Independency on the Mother Country."

The petition of Portsmouth, the only one preserved, was of similar character. The people should have been first consulted on so important a step. "It is an open Declaration of Independency, which we can by no means countenance until we shall know the sentiments of the British nation in general." The contention of the colonies was with the British ministry, which did not fairly represent the will of the British people. The measure would have a tendency to disunite the lovers of liberty in America, who were seeking for justice and their rights as Englishmen, and had no desire to become usurpers. They pray that the assumption of government may be suspended for the present and that regulation be adopted for the protection of property. This is the plea of comparatively wealthy

and aristocratic Portsmouth, for which the back towns had a deaf ear.<sup>3</sup>

Although many of the leading men were averse to independence on Great Britain, as time passed thickly crowded with acts of hostility and oppression, nearly all became convinced that reconciliation with the mother country was impossible. Nothing but unconditional surrender and complete subjection would satisfy the British ministry. The popular feeling was well expressed by New Hampshire's historian of that time. "Had the British government, on the removal of their troops from Boston, treated with us, in answer to our last petition, upon the principle of reconciliation, and restored us to the state in which we were before the stamp-act was made, they might even then have preserved their connection with us. But in the course of a few months, we not only found our petitions disregarded, and our professions of attachment to the parent state treated as hypocritical, but their hostile intentions became so apparent, and our situation was so singular, that there could be no hope of safety for us, without dissolving our connection with them and assuming that equal rank among the powers of the earth for which nature had designed us, and to which the voice of reason and providence loudly called us. Britain had engaged foreign mercenaries to assist in subjugating us; justice required that we should in our turn court foreign aid; but this could not be had, whilst we acknowledged ourselves subjects of the crown against whose power we were struggling. The exertions which we had made and the blood which we had shed were deemed too great a price for reconciliation to a power which still claimed the right "to bind us in all cases whatsoever," and which held out to us unconditional submission as the only terms on which we were to expect even a pardon. Subjection to a prince who had thrown us out of his protection, who had ruined our commerce, destroyed our cities and spilled our blood, and who would not govern us at all without the interposition of a legislative body, in whose election we had no voice, was an idea too absurd to be any longer entertained. These sentiments, being set in their just light by various publications and

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<sup>3</sup> N. H. Prov. Papers, VIII., 16-17.

addresses, had such force as to produce a total change of the public opinion. Independence became the general voice of the same people who but a few months before had petitioned for reconciliation. When this could not be had, but on terms disgraceful to the cause which we had undertaken to support, we were driven to that as our only refuge. The minds of the people at large in most of the colonies being thus influenced, they called upon their delegates in congress to execute the act which should sever us from foreign dominion and put us into a situation to govern ourselves."<sup>4</sup>

On the eleventh of June, 1776, the House of Representatives at Exeter appointed a committee, consisting of Samuel Cutts, Timothy Walker and John Dudley, with such as the Board of Councilors should join, to make a draft of a Declaration of the General Assembly for INDEPENDENCE OF THE UNITED COLONIES on Great Britain, in order that the same might be transmitted to the Continental Congress, and the Council added to the committee John Hurd, Wyseman Clagett and Ebenezer Thompson, the secretary. On the fifteenth of June the committee made the following report:

#### INDEPENDENCE

Whereas it now appears an undoubted Fact, That Notwithstanding all the dutiful Petitions and Decent Remonstrances from the American Colonies, and the utmost Exertions of their best Friends in England on their Behalf, The British Ministry, Arbitrary & Vindictive, are yet Determined to Reduce by Fire and Sword our Bleeding Country, to their absolute obedience and for this Purpose, in addition to their own forces, have Engaged great Numbers of Foreign Mercenaries, who may now be on their passage here, accompanied by a Formidable Fleet to Ravage and Plunder the Sea-Coast; From all which we may reasonably Expect the most dismal Scenes of Distress the ensuing year, unless we Exert ourselves by every means & Precaution possible; And Whereas We of this Colony of New Hampshire have the Example of several of the most Respectable of our Sister Colonies before us for Entering upon that most Important Step of a DISUNION from Great Britain, and Declaring ourselves FREE and INDEPENDENT of the Crown thereof,—being impelled thereto by the most violent & Injurious Treatment; and it appearing absolutely Necessary in this most Critical Juncture of our Public Affairs, that the Honble the Continental Congress, who have this Important Object under their Immediate Consideration, should be also informed of our Resolutions thereon without loss of Time:

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<sup>4</sup> Belknap's Hist. of N. H., Farmer's Edition, p. 366.

WE DO therefore Declare that it is the opinion of this Assembly that our Delegates at the Continental Congress should be Instructed, and they are hereby Instructed to join with the other Colonies in Declaring THE THIRTEEN UNITED COLONIES, A FREE & INDEPENDENT STATE Solemnly Pledging our Faith & Honor, That we will on our parts Support the Measure with our Lives and Fortunes;—and that in consequence thereof, They, the Continental Congress, on whose wisdom, Fidelity & Integrity we rely, May enter into and form such Alliances as they may Judge most conducive to the Present Safety and Future advantage of THESE AMERICAN COLONIES: *Provided*, the Regulation of our Internal Police be under the direction of our own Assembly.

The news of the Declaration of Independence, published at Philadelphia on the fourth of July, was proclaimed within fourteen days in all the sire towns of New Hampshire. At Exeter it was first publicly read by John Taylor Gilman, who afterwards became governor of the State. The issue was now distinctly marked. All thoughts of reconciliation were banished. Every man had to decide whether he would stake his all with the patriots, or side with Great Britain. It had been resolved in the Continental Congress, March fourteenth, and the resolve had been approved by the committee of safety at Exeter, April twelfth, that all males above twenty-one years of age (lunatics, idiots and negroes excepted) should be asked to sign the following Association Test:—

WE, THE SUBSCRIBERS, DO SOLEMNLY ENGAGE AND PROMISE, THAT WE WILL, TO THE UTMOST OF OUR POWER, AT THE RISQUE OF OUR LIVES AND FORTUNES, WITH ARMS, OPPOSE THE HOSTILE PROCEEDINGS OF THE BRITISH FLEETS AND ARMIES, AGAINST THE UNITED AMERICAN COLONIES.

Whether all towns in New Hampshire were actually subjected to this test is uncertain. Such records of eighty-nine towns have been published in the eighth volume of the State papers. No records there appear of Dover, Durham, Madbury and some towns along the Connecticut river. There is allusion, in the records of Durham, that Alexander Scammell was appointed to assist in the application of the test in that town, and it may be that all towns applied it and the records of some towns have been lost. The test was signed by eight thousand, one hundred and ninety-nine persons in New Hampshire, and

seven hundred and seventy-three persons refused to sign it. Some of these were of the Society of Friends and others had conscientious reasons for withholding their signatures.

The treatment of the loyalists, or tories, and those who would not sign the association test was mild and considerate. Seventy-six were expelled from the country on penalty of death if they returned without consent of proper authorities and the property of twenty-eight was confiscated. Others joined the ranks of the enemy and fought against their old friends, in alliance with British, Canadians and Indians, and when such were met in battle naturally it fared hard with them. The great majority of those who did not want separation from Great Britain accepted the situation and made no disturbance or open opposition, and such were not molested. The term, Tory, took on a meaning that was reproduced somewhat in the word, copperhead, during our civil war, meaning one who sympathized with the enemy. Since the enemy, in both cases, have become friends again, the epithets with their sinister meaning have been quite forgotten, and it seems reasonable and justifiable that ties of kindred and acquaintance should have induced many to side with the upholders of the old regime. After the Revolution the loyalists should have been urged to return, and their property should have been restored to them, just as was done to our brethren in the South in more recent years. The brotherhood of mankind and especially of English-speaking people, should not be permanently interrupted by war and strenuous differences of political or other views.

Among those proscribed was Benjamin Thompson of Concord, who became famous as Count Rumford. He was born at North Woburn, Massachusetts, in 1753, and spent his early days on his father's farm. He tried clerking in a store, then studied medicine and at the age of eighteen went to Concord, New Hampshire, to teach school. Here he married the widow of Benjamin Rolfe, whose maiden name was Sarah Walker, daughter of the Rev. Timothy Walker, a rich widow thirteen years older than himself. This marriage secured him an appointment as major in the militia, at the age of twenty-one, his brother-in-law, Timothy Walker, being colonel. Thereby he secured also the envy and jealousy of some persons, over whose



COUNT RUMFORD



heads he had been promoted. Two British officers, from General Gage's army in Boston, visited Concord on furlough and were entertained by Thompson. This was enough to excite popular suspicion. There was talk about mobbing him by night. He fled to his native town and was there arrested and tried as the enemy of his country, though he had sought for service in the patriot ranks. He was not convicted, but was placed under such suspicion that he was led to join General Gage in Boston, and when that town was evacuated Lord Howe sent him to England with dispatches. His talents soon began to be manifested. In 1779 he was elected a fellow of the Royal Society for discoveries he had made in explosives. Next year he was made Under Secretary of State for the British Colonies. At age of twenty-nine he was commissioned a lieutenant colonel and came back to America. Two years later he was knighted by King George the Third. Then he went to Bavaria as aide-de-camp and chamberlain to the Elector and was assigned the task of reorganizing the military establishment. At thirty-four he was a major-general and a councilor of State, and at thirty-six a lieutenant-general, chief of the general staff, minister of war and superintendent of the police of the State. The same year he founded the Royal Institution in London and got Sir Humphrey Davy appointed professor of chemistry there. He transformed the army of Bavaria, established public and industrial schools, revolutionized household economics, reclaimed waste lands and created government stock farms. It is claimed that he was the Edison of German *Kultur*. He died at the age of sixty-two, famous all over Europe. His daughter, Sarah, known as Countess Rumford, died in Concord in 1852.

Among those proscribed and whose goods were confiscated was William Stark, brother to the famous General John Stark. He had served under General Wolfe at Louisburg and Quebec and is called colonel in 1776, in the Journal of the House. Soon after, disappointed in promotion, he joined the British army in New York and was made colonel of dragoons. He was killed by a fall from his horse not long after, the best thing he ever did, as his brother is reported to have said.<sup>5</sup>

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<sup>5</sup> The full list of the proscribed is as follows; those in italics by a subsequent act had their property confiscated: *Gov. John Wentworth*, Peter



## Chapter VI

### PROGRESS OF THE REVOLUTION.

Change of Name from Province to Colony and State—Counterfeiters—Letter of Junius—Judicial Courts—Organization of the Militia—Sullivan's Brigade—He leads the Retreat from Canada—Hubbardton—Battle of Long Island—Sullivan Goes as Peace Messenger to Congress—Battle of Trenton—Princeton—Formation of a Continental Army—Resignation of General Stark—Arrest of Asa Porter—Increasing Difficulty of Getting Volunteers—March of Burgoyne—Noble Offer of John Langdon—Stark Made Brigadier-General of an Independent Force—Censure of Congress—Bennington—Treatment of the Tories Captured—Lust and Cruelty of the Hessians—Battle of Stillwater, or Bemis Heights—Saratoga and Surrender of Burgoyne—Valley Forge—Sullivan in Rhode Island—Expedition against the Six Nations—Resignation of Sullivan—Death of Scammell at Yorktown—Privateers—Hampden—Raleigh—Ranger and John Paul Jones.

IT was on the tenth day of September, 1776, that it was voted to change the name, which had been the Province of New Hampshire and then for a short time the Colony of New Hampshire, to the State of New Hampshire, in harmony with the action of other colonies. Difficulties of varied character arose. Some tories sought to counterfeit paper currency issued by the State, and one Robert Lewis Fowle, printer and publisher of the New Hampshire Gazette of Exeter, was arrested and confined. His goods were confiscated, but after the war he returned to Exeter and sought the restoration of his property. He was nephew to the Daniel Fowle of Portsmouth, who in 1756 set up the first printing press in the province and published the Portsmouth Gazette. Daniel Fowle was an ardent patriot, but nevertheless he was called to account for publishing in January, 1776, a long communication from Junius which emanated evidently from Great Britain and was intended to create public opinion in favor of adherence to the mother country. The hopelessness of the cause of the patriots is strongly set forth therein. How could a continent of one thousand miles of sea-coast, without a ship, defend itself against five hundred

battle ships? How could a country able to pay but thirty thousand men fight against one that could put one hundred and fifty thousand into the martial field? What hope of success had three millions contending with fifteen millions? How could a country without arms, ammunition and trade contend with a nation abundantly supplied with all the munitions of war? Could not the nation that had conquered France subdue America? If we gain independence, we can not support it. The taxes would be tenfold, and so the argument ran, convincing all who were already convinced that the colonies could not win independence, nor maintain it, if once gained.<sup>1</sup>

Judicial courts were established and all appeal to England was disallowed. Appeals formerly made to the governor and council were transferred to the superior court, whose decision was final. Judges and military officers were appointed by concurrence of the House and Council. More paper money was issued, whose depreciation raised enormously the price of commodities. Efforts were made from time to time by various towns to regulate the price of produce and merchandize, but the trading, so far as possible, was by barter, money of any sort being scarce, and both State and Continental bills being dis-trusted. A special act was passed, confirming all former laws of the province, so far as they did not conflict with the new form of government, or were not actually repealed.

The militia of the State was reorganized, into Training Bands and Alarm Lists. All able-bodied males between the ages of sixteen and fifty, except Negroes, Indians and Mulattoes, belonged to the Training Bands, and these were divided into seventeen regiments, making a total of sixteen thousand, seven hundred and ten men. Sixty-eight men made up a company, who chose their own captain, lieutenants and ensigns. All higher officers were appointed by the House and Council. Every officer and private was required to equip himself with arms and whatever was thought necessary for a hurried call and a short campaign. The Alarm List included all men between the ages of sixteen and sixty-five who were not in the Training Bands. Fifty-nine Articles of War were drawn up for the regulation

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<sup>1</sup> N. H. State Papers, VIII., 25-27.

of the militia. The troops required for the regular army were at first volunteers, but any man in the militia was subject to draft, whenever this was found necessary.

For service in the year 1776 about two thousand men were raised and formed into three regiments under the same commanders as in the former year, Stark, Poor and Reed. These formed the brigade, of which John Sullivan was brigadier-general. After the evacuation of Boston by General Gage the troops that had besieged it were ordered to New York. Sullivan's brigade went up the Hudson and thence down the lakes into Canada, to succor and reinforce the troops that were retreating from the disastrous attack on Quebec. General Benedict Arnold, the year before, had led an army up the Kennebec to what is now Augusta, Maine, and thence through the woods and over the mountains, to meet General Richard Montgomery and capture the chief city and port of Canada. Montgomery fell in battle; Arnold withdrew to Montreal and busied himself, it is said, in robbing its citizens; General Thomas, on whom many hopes were placed, sickened and died of small pox. It devolved on General Sullivan to conduct the retreat from the mouth of the Sorelle river. Against the advice of General Stark an expedition was sent by General Sullivan against Trois Rivieres, which proved a failure, and its leader, General Thompson, was taken prisoner. Small pox broke out in the American army, which swept off a large number. Although pursued by a superior force General Sullivan managed to draw off his force without loss of a boat or piece of artillery. The public buildings and barracks at St. Johns were burned, and John Stark and his staff were last to leave the smoking ruins, as the advance guard of the British came in sight. The army withdrew to Crown Point and thence to Ticonderoga, contrary to advice of Colonel Stark. About one-third of the New Hampshire men who engaged in this ill-fated expedition were lost in battle or by sickness.

On the sixth of July, 1777 occurred the battle of Hubbardton, where Colonel Nathan Hale and his New Hampshire regiment were engaged. General Fraser commanded the British, afterwards killed in the battle of Saratoga. Hale, several of his officers and about sixty men were killed or captured, and Hale

died, a prisoner on Long Island, September 23, 1780. The loss of the British was greater, and the battle stopped their pursuit. Major Benjamin Titcomb was wounded and taken prisoner; he was soon exchanged and was again wounded at the battle of Saratoga.

General Sullivan, being superseded by General Gates, returned to the main army near New York. The British landed on Long Island, and to Sullivan was assigned the place of General Greene, who was ill of a raging fever. This was on the twentieth of August. General Israel Putnam was given chief command of about eight thousand undisciplined volunteers on the island, opposed to twenty thousand British and Hessians, supported by ten ships of the line, twenty frigates and four hundred ships and transports that lay in New York harbor. The unequal contest did not last long. Sullivan's men were surrounded and were advised by him to shift for themselves. Some cut their way through the ranks of the enemy. Bancroft says that Sullivan was captured by three Hessian grenadiers, while he was hiding in a field of maize. He attributes the disaster of the day to the incapacity of General Putnam.

In conversation with Lord Howe General Sullivan offered to visit Congress as a mediary, and this offer was accepted, an exchange of General Sullivan for General Prescott then at Philadelphia having been speedily arranged. General Washington did not approve of the mission but was unwilling that military authority should interfere with an appeal to civil power. On the second of September Sullivan appeared before Congress, and Bancroft records that John Adams said to the member who sat next him, "Oh, the decoy-duck, would that the first bullet from the enemy in the defeat on Long Island had passed through his brain." But Bancroft takes every opportunity to speak depreciatingly of Sullivan, and it is easy for the peaceful diplomat to criticize the defeated soldier, "He jests at scars who never felt a wound." The purport of the verbal message of Sullivan, when reduced to writing, was that there should be an unofficial interview between some members of Congress and Lord Howe, who claimed that he had authority to adjust all differences between the colonies and Great Britain. The acceptance of such a proposal would be a surrender of all that the

colonies were then contending for, and the proposal was passed over in silence. Here General Sullivan is made to appear in a bad light, hasty and inconsiderate. The picture is not in harmony with his conduct before and after this event. Subsequently the message of Lord Howe was considered and a committee was appointed to confer with him.

After the posts at Ticonderoga and Mount Independence had been fortified and General Carleton had retired into winter quarters in Canada, Colonel John Stark, to whom General Gates had given the command of a brigade, protested that several junior colonels had been promoted before him, yet he went with his command to assist General Washington, whose forces he joined with his New Hampshire men a few days before the battle of Trenton. At the same time Sullivan arrived, who had been given command of General Charles Lee's division, that uncertain officer having been captured at an inn. The troops that marched two hundred miles from Ticonderoga left a bloody trail, so poorly were they shod. In the council of war, preceding the battle of Trenton Colonel Stark observed to General Washington, "Your men have too long been accustomed to place their dependence for safety upon spades and pick-axes. If you ever effect to establish the independence of these States, you must teach them to place dependence upon their fire-arms and their courage."

The term of enlistment of the two half-filled New Hampshire regiments expired just before the battle of Trenton, but Stark reminded them of Bunker Hill and so impressed upon them a sense of the country's need in this critical and dangerous hour that they consented to a man to remain six weeks longer. Two regiments of militia sent from New Hampshire to reinforce Washington's army remained till the following March; these were commanded by Colonel Thomas Tash and Colonel David Gilman.

The surprise and capture of nearly a thousand Hessians at Princeton was effected during the most severe weather of winter. The patriot soldiers were half-clad and poorly armed. Sullivan sent word to Washington that the arms of his men were wet; "Then use the bayonet," was the reply, and with Colonel Stark in the advanced guard the charge was made, that swept every-

thing before them and "turned the shadow of death into the morning." It was the decisive stroke of the Revolution. Congress thanked Washington, and he turned the praise over to the officers and privates, who marched all night through rain and sleet and fell upon the unsuspecting enemy like a resistless avalanche. It would be called a skirmish to-day, when millions form the battle front, but then it was a bold and desperate battle, with arms and odds against the Americans. In this rush and struggle of half an hour the Americans did not lose a man. The fight at Princeton soon followed, in which Stark, Poor and Reed with their thinned regiments did valiant service.

The terms of enlistment of the New Hampshire regiments having expired Colonel Stark returned to Exeter to recruit new forces. By this time it was apparent to wise observers that the war could not be fought successfully by militiamen enlisted for brief periods of service. Hence a Continental Army was recruited for three years or during the war. The officers were appointed by the Continental Congress, and the commanders of the three regiments of New Hampshire were Colonels Joseph Cilley, Nathan Hale and Alexander Scammell. Enoch Poor was promoted to be a brigadier-general. Colonel Stark was rightly displeased because he had been a second time superseded. He therefore resigned his commission and returned to his farm at Dunbarton. He was too independent and unbending to suit some persons in authority. The thanks of both houses convened at Exeter were presented him "for his good services in the present war; and that, from his early and steadfast attachment to the cause of his country, they make not the least doubt that his future conduct, in whatever state of life providence may place him, will manifest the same noble disposition of mind."

About this time the inhabitants of the Coos country were fearful of an invasion by Canadians and Indians, and there was a secret plot unearthed, to send messengers to General Burgoyne to occupy that country with his troops, so that thereby the people might be protected from something worse. The leader in this plot was thought to be Colonel Asa Porter, and the informer against him was Colonel John Hurd. Both were graduates of Harvard College. When Grafton county was formed in 1773 Colonel Hurd was appointed Chief Justice and

Colonel Porter associate justice of the inferior court. Porter was arrested and taken to Exeter, where he was confined and later he was allowed the range of Newtown. He escaped, was re-arrested and confined to his father's farm in Boxford, Massachusetts. Later he was permitted to return to Haverhill, New Hampshire, where he was somewhat prominent in the history of that town. His three daughters married Chief-Justice Daniel Farrand of Vermont, United States Senator Thomas W. Thompson, and Hon. Mills Olcott. The alarm at Coos seems to have been unfounded; at least no enemy made appearance.

In the latter part of the year 1776 New Hampshire had three hundred men to guard the fortifications at the mouth of the Pascataqua, three regiments of regulars in the Continental Army and six regiments of militia as reinforcements. The following year a draft became necessary, yet by payment of twelve pounds a drafted person might get release; in 1779 the forfeiture was increased to fifty or sixty pounds. As the war continued it became more and more difficult to get volunteers. The pay was uncertain and the paper money was continually decreasing in purchasing value. Patriotism does not seem to thrive on poverty and spare meals. An army must be well fed and clothed in order to fight at its best and to stick to service. The ragged, foot-sore, half-starved soldiers of the Continental Army showed the highest degree of heroism and their efficiency in face of the British veterans was wonderful. They were fighting for life and liberty, and that was a greater stimulus than good wages.

In the spring of 1777 General Burgoyne, who had superseded General Carlton, started on what he supposed to be a triumphant expedition, expecting to trample down all opposition and join his forces to those of Lord Howe in New York. Ticonderoga soon was captured. The erection of batteries on Mount Defiance compelled the evacuation of Mount Independence, by which the American army lost seventy cannon and great military stores. The outlook was very discouraging. Burgoyne sent a large foraging force into the "Hampshire Grants," that had recently declared their independence under the name of the State of Vermont. The object was to ravage the country as far as the Connecticut river, and especially to collect horses and cattle. Vermont sent earnest entreaties to the legislature

of New Hampshire for assistance, lest they being subdued the military frontier should be pushed back to the borders of New Hampshire, and the depredations of Indians and Hessians should be transferred to that State. The people were more alarmed than before. The legislature was hastily called together for a session of three days. The whole militia was formed into three brigades, to be commanded by General William Whipple and General John Stark. From each of these brigades were selected portions to march immediately, under command of Stark, "to stop the progress of the enemy on our western frontier." The force consisted of one-fourth of Stark's brigade and one-fourth of three regiments of Whipple's brigade, amounting to about five hundred men. It was on this occasion that John Langdon, who presided over the joint session of the legislature in committee of the whole, uttered these historic words:—

"I have three thousand dollars in hard money; my plate I will pledge for as much more. I have seventy hogsheads of Tobago rum, which shall be sold for the most they will bring. These are at the service of the State. If we succeed, I shall be remunerated; if not, they will be of no use to me. We can raise a brigade; and our friend Stark, who so nobly sustained the honor of our arms at Bunker's Hill, may safely be entrusted with the command, and we will check Burgoyne."

Stark was sent for, who stood before the assembly, and stated his terms. He had no confidence in the commander of the northern army and wanted an independent commission. He would be answerable only to the State of New Hampshire. With a brigade he would hang upon the flank of Burgoyne's army and stop their depredations, if in his power. His proposition was accepted and he was given full rank and pay of a brigadier-general. The rendezvous was at Charlestown. The soldiers were eager to join in the "Hessian hunt." More men volunteered than were called for, such was Stark's popularity. Stark wrote that there was only one pair of bullet-molds in his army. As fast as troops arrived he sent them to join the "Green Mountain Boys" under Colonel Seth Warner, at Manchester, Vermont. There Stark joined them and received General Lincoln, who had been sent by General Schuyler to conduct the militia thus gathered to some point west of the Hudson. Lin-

coln was soon made to understand that Stark had now an independent command and that it was his main business to guard the western frontier. A report of his decision was forwarded to the Continental Congress, where it met with disapproval, but the result showed that Stark knew more about military affairs than John Adams and his associates in Congress. That body resolved "That the council of New Hampshire be informed that the instructions which General Stark says he has received from them are destructive of military subordination and highly prejudicial to the common cause at this crisis; and that, therefore, they be desired to instruct General Stark to conform himself to the same rules which other general officers of the militia are subject to, whenever they are called out at the expense of the United States." But these troops were not called out at the expense of the United States, but rather by the assurance of such men as John Langdon, backed by the people of New Hampshire. The censure of the Continental Congress at this time was more enjoyed than feared by Stark; at last he had the coveted opportunity to be gloriously independent and conduct his own campaign.

Colonel Warner was left at Manchester, Vermont, with his regiment, and Stark gathered his forces at Bennington, where there were military stores. Burgoyne with the main British army was encamped at Fort Edward. He sent Lieutenant Colonel Baum with about fifteen hundred troops, five hundred of whom were Germans and two hundred Indians on a marauding expedition of a fortnight's duration, as he calculated, to proceed to Rockingham on the Connecticut river and drive in thirteen hundred horses, when probably there were not half that number in the whole region to be traversed, and also to collect oxen for draft and slaughter. The order was to leave the cows for the inhabitants and to give receipts for property commandeered to such as were loyal. The report was to be scattered that this was the advance guard of a column moving on to Boston, to be joined at Springfield by other troops from Rhode Island. Colonel Philip Skene accompanied Baum to give information about the country traversed.

Two hundred men, under command of Colonel William Gregg of Londonderry, were dispatched by Stark to meet the

advanced guard of Indians, about twelve miles from Bennington. Baum said in a letter to Burgoyne, "The savages can not be ruled; they ruin and take everything they please." Gregg's men were slowly driven back till they met the main force of Stark, when the enemy drew up on an eminence in an advantageous place and awaited an attack. Stark marched back about a mile and encamped, sending out skirmishers, the sharp-shooting rangers, to harrass the Indians, two of whose chiefs were slain, together with thirty of the enemy, without the loss of a single man from the skirmishers. The next day was rainy, and many of the Indians deserted. Meanwhile arrived in the night the Berkshire men, commanded by Colonel Symonds and the Rev. Thomas Allen of Pittsfield, who demanded for his men opportunity to fight this time, having been before disappointed. Stark promised to give him on the morrow all the fighting he wanted or never call on him again for help. Order was sent to Colonel Seth Warner at Manchester to hasten with one hundred and fifty men. All told, Stark was able to muster, with the help of the local militia, about fifteen hundred men. Some of the Tories of the vicinity of Burlington had joined the ranks of the enemy. The rain fell in torrents during the night preceding the battle, and both armies sought what shelter they could find. The Berkshire men must have gone into battle the next day drenched to the skin after a long night march.

On the morning of August sixteenth Stark deployed his troops for battle. The enemy had cast up a redoubt upon an eminence, which was defended with pieces of artillery, while Stark had nothing but muskets. Colonel Moses Nichols of Amherst with two hundred men was sent to attack the enemy's left flank and rear. Baum thought that as they strode along in their shirt sleeves they were rustics seeking protection, or running away from battle. Colonel Herrick with three hundred men was sent to outflank the enemy's right. Colonel David Hobart of Plymouth and Colonel Thomas Stickney of Concord, with two hundred men fronted the enemy's right. Stark commanded the reserve. At three o'clock the attack was made from every side. The Indian allies of the British and Germans fled at once. Bancroft says that New England sharpshooters ran up to within eight yards of the loaded cannon to pick off the cannoneers.

The saying of General Stark, as he addressed his troops before action, has been often quoted and in varied form. It is impossible to determine now his precise words. It is probable that he was reported differently by certain hearers. The substance was this:<sup>2</sup> "There, my boys, are the redcoats and tories; you must beat them, or Molly Stark sleeps a widow to-night." The story illustrates the stern determination that filled every breast. Stark in his report said, "Had they been Alexanders and Charleses of Sweden, they could not have behaved better." The enemy's redoubt was taken at the point of the bayonet, and the two brass cannon were turned against them as the remnant fled. Colonel Breyman was approaching with reinforcements for Baum, who had been mortally wounded in the battle, but the timely arrival of Colonel Seth Warner with his small regiment from Manchester held them in check till Stark could again rally his forces and pursue the enemy till nightfall. Two more cannon were captured, together with baggage, horses, carriages and so forth. Two hundred and twenty-six men of the enemy's ranks were left dead on the field. Stark reported, "I have one lieutenant colonel, since dead (Colonel Baum), one major, seven captains, fourteen lieutenants, four ensigns, two cornets, one judge advocate, one baron, two Canadian officers, six sergeants, one aide-de-camp, one Hessian chaplain, three Hessian surgeons, and seven hundred prisoners." Of Stark's brigade four officers and ten privates were killed and forty-two wounded.

The fight was the fiercest at the tory breast-work. One author says, "The tories expected no quarter, and gave none,—fighting to the last like tigers. They were completely surrounded within their fortification, and the work of death was finished with bayonets and clubbed muskets. Hobart and Stickney saw the work thoroughly done. Stark had ordered the men, as they passed through a field of corn, to put a husk of corn on each one's hat. This precaution was a great benefit. As the tories were dressed like themselves, in their working clothes, the corn husk, under the hat-band, served to distinguish friends from foes, and a man without a husk in his hat was

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<sup>2</sup> It is too bad to spoil a cherished tradition by statement of the fact that General Stark married Elizabeth Page.

sure to be visited by a bayonet or the breach of a musket.”<sup>3</sup> But one account says that one hundred and forty-seven tories were captured, and another account puts the number at one hundred and fifty-two. These “were tied in pairs, and to each pair a horse was attached by traces, in some cases a negro for his rider; they were led away amid the jeers and scoffs of the victors—the good house-wives of Bennington taking down beds to furnish cords for the occasion. Many of their neighbors had gone over to the enemy the day before the battle.”<sup>4</sup> These tory prisoners were afterwards used for breaking roads in winter. Vermont had an unusual number of tories, and the strife between them and the Green Mountain Boys was bitter. The cause of this was probably the rival claims for land made before the Revolution by grantees of New Hampshire and New York, leading then to flogging and hanging in some instances. Neighbors often were not friends. The German, or Hessian, soldier had an evil reputation for lust and cruelty. One writer of that time declares that in Vermont they violated girls of ten years of age and women of eighty, yet even the Hessians were less despised and hated than the tories, who took up arms against their own countrymen.

The prisoners taken at Bennington were sent to Boston. Trophies were sent to the governments of Massachusetts, Vermont and New Hampshire. Montpelier has now two of the cannon captured, and Concord should have the other two. The spoils of battle were divided among the successful combatants. Stark wrote to General Gates an account of the battle, but paid no attention to the Continental Congress. On inquiring the reason of this they learned that his former letter to Congress had not been noticed. They took the hint, thanked him formally for his exploit and gave him a commission as brigadier-general in the regular army. The military insubordination, which had troubled their minds a few days before, flew away on the wings of victory. Less than two thousand dollars of good money paid the entire expense of this campaign.

The victory at Bennington brought renewed hope to all

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<sup>3</sup> Military History of New Hampshire, by Hon. Chandler E. Potter, p. 320.

<sup>4</sup> Memoir of Gen. John Stark, by Caleb Stark, pp. 63-4.

the friends of freedom and discouragement to the army of Burgoyne. Volunteers from the militia flocked to the northern army, and soon Burgoyne was hemmed in on every side. General William Whipple and his brigade marched to reinforce General Gates. On the nineteenth of September was fought the battle of Stillwater, also known as the battle of Bemis Heights. The New Hampshire troops here engaged consisted of Major Dearborn's battalion of infantry, partly made up from Whitcomb's Rangers, Colonel Pierce Long's regiment and some new volunteers, about three hundred men, and General Poor's brigade, made up of three regiments commanded by Colonels Joseph Cilley, Alexander Scammell and George Reid, who had succeeded to Colonel Nathan Hale after that officer's capture at Hubbardton. Certainly half of the Americans engaged in that battle were from New Hampshire, and they bore the brunt of it, losing one hundred and sixty-one in killed and wounded. Among those who fell Bancroft mentions the name of Lieutenant-Colonel Andrew Colburn of Marlborough, a brave and meritorious officer, but does not name Lieutenant-Colonel Winborn Adams of Durham, equally popular and brave. He raised a company in Durham immediately after the fight at Lexington and remained in the army till his death. He was son of Dr. Samuel Adams and grandson of the Rev. Hugh Adams, the eccentric and able minister of Durham for many years.<sup>5</sup> In this battle were mortally wounded Lieutenant Joseph M. Thomas and Ensign Joseph Fay of Walpole, Captain Frederick M. Bell of Exeter, and Lieutenant William Read of Dearborn's battalion. Colonel Scammell was wounded. The Americans fought without artillery and without a general commanding officer, and yet they inflicted heavier loss than they sustained, the number of British killed and wounded being over six hundred.

In the battle of Saratoga, that followed on the seventh of October, the same regiments from New Hampshire were engaged and sustained losses equally great. Here fell Lieutenant-Colonel Samuel Conner of Pembroke, and Captain John McClary. Besides, two full companies of men from New Hampshire were

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<sup>5</sup> Samuel Adams, son of Lieut-Col. Winborn Adams, served in the Revolution and was afterwards a colonel in the militia.

enrolled among the Massachusetts men in the battles of Stillwater and Saratoga.

Burgoyne was now surrounded by the ten thousand or more hastily gathered husbandmen in arms, and after desperate fighting was compelled to surrender on generous terms allowed. Their number was five thousand, seven hundred and ninety-one, among whom were six members of parliament. The total loss of Burgoyne in this campaign was about ten thousand. Thereafter the northern frontier was out of danger, and the war of the Revolution was carried on further south. New Hampshire men continued to do their part, and wherever they fought their work was well done. Soon after the surrender of Burgoyne the New Hampshire regiments, formed anew into a brigade, marched forty miles in fourteen hours and forded the Mohawk river, to check the progress of the British General Clinton, who was marching toward Albany. On hearing of the fate of Burgoyne he returned to New York. The New Hampshire troops then marched into Pennsylvania and wintered at Valley Forge.

The miseries of Valley Forge have often been recounted. Lack of food, blankets, clothing and shelter sent many to the hospital or to farm houses for protection from the winter cold. About three thousand men encamped there were unfit for duty. They had no shoes. They were obliged to forage upon the friendly farmers or starve. Congress made no provision for them. Sullivan and many others urged Washington to attack the enemy, but how could starving and half-naked men, without proper arms and ammunition, meet well intrenched foes? Some were conspiring to have General Gates supersede Washington. Meanwhile his men were sitting all night by a fire in order to keep from freezing. That winter at Valley Forge cost more lives than any battle fought during the Revolution, and there was nothing else to do but wait for warm weather and supplies. For days together the army was without bread, and for four days without meat. They could not always walk bare-footed in the snow to get fuel. Only the pursuit of pleasure, on the part of the British army, quartered upon the inhabitants of Philadelphia, hindered their attacking and annihilating the sick and starving men at Valley Forge. The bri-

gade from New Hampshire endured sufferings with the rest of the army, and in the battle of Monmouth, in the spring of 1778, they behaved with such bravery, under command of Colonel Joseph Cilley and Lieutenant-Colonel Dearborn, as to receive the special approbation of Washington.

Meanwhile the British had landed forces in Rhode Island, and in April of 1778 General Sullivan was put in command of troops intended to check their advance. A force of ten thousand undisciplined men was collected at Tiverton. New Hampshire sent General William Whipple's brigade, with Colonels Nathaniel Peabody, Stephen Evans, Moses Nichols, Moses Kelly, Jacob Gale, Enoch Hale and Joshua Wingate. John Langdon armed a company of light infantry at his own expense. They were composed of the leading citizens of Portsmouth and they marched to Rhode Island in two days, a company of forty-six men.

A storm drove away the French fleet, that was expected to bring great assistance. Many of the troops of Sullivan began to desert and return home. His force was reduced to about five thousand, only fifteen hundred of whom had ever been in action. Generals Greene and LaFayette remained to aid him. The battle of Newport was followed by a retreat, although in that engagement the American loss was two hundred and eleven, while the British loss was estimated at one thousand and twenty-three. The day after the retreat from the island one hundred British vessels arrived with reinforcements. The retreat was justified by General Greene and by a subsequent vote of Congress. Some urged Sullivan to do the impossible and to carry everything before him by storm, as Stark had done at Bennington, but the conditions were radically different. In the account of this campaign, too, Bancroft says uncomplimentary things, to blame and belittle Sullivan. The late historian can fight battles so much better than those actually engaged in the conflict. In every retreat and defeat somebody must bear the criticism of non-combatants.

General Sullivan continued in command in Rhode Island during the following winter, making his headquarters at Providence. On his transference to another field of activity the citizens of that city gave him a farewell banquet, to express

their esteem for him. In 1779 he was appointed to command an expedition against the six Indian Nations, and the New Hampshire brigade formed a part of his force. The aim was to avenge the massacre of Wyoming and to make another Indian raid impossible. To this end Sullivan was ordered to destroy the Indian villages, their crops and other property,—in fact to exterminate them, so far as he was able. The alternative of Indian war was to kill or be killed. The Indians were led by the noted Butler and Brant, the latter said to have been an illegitimate son of Sir William Johnson. The route lay up the valley of the Susquehanna river, and Sullivan's force of about two thousand could muster only half that number of fighting men. After some preliminary skirmishes the main battle was fought at Newtown, when the Indians were driven from their fort and utterly routed. Sullivan's losses were three killed and thirty-nine wounded, mainly of General Poor's New Hampshire brigade. Fourteen Indian villages and their cornfields were destroyed. For some weeks thereafter the expedition subsisted on half rations. On this expedition Lieutenant Boyd with a handful of men was surrounded and captured. His body was afterwards found. Sullivan wrote to Washington, that they "pulled out Mr. Boyd's nails, cut off his nose, plucked out one of his eyes, cut out his tongue, stabbed him with spears in sundry places, and inflicted other tortures which decency will not permit me to mention; lastly, cut off his head and left his body on the ground." This account indicates the kind of foe Sullivan had to deal with, and why severe measures were necessary. There was no opportunity for missionary methods; brutal assassins must be dealt with as such. Some Indians, some negroes and some whitemen should be imprisoned and kept under restraint. If this can not be, the only protection to society under some circumstances is to shoot them at sight, as one would shoot a mad dog. Let sympathetic humanitarians remember those brutally massacred at Wyoming and not expend all of their pity on the murderers. At least two monuments have been erected to commemorate this victorious expedition.

The thanks of Congress were voted. After five years of military service General Sullivan's health was so impaired that

physicians warned him that he must take rest. Moreover, he had expended a large part of his property, and his family were in need of his assistance. Therefore he wrote to Washington, resigning his commission as major-general, and returned to his home in Durham. He, as well as Washington and other officers, had envious opponents. There was a lot of conniving and plotting in the American army, as to who should be the commanders. Petty ambition ruled almost as much as patriotism, and so it has been in all armies. War pushes the determined to the front.

General Stark served under General Gates in Rhode Island, after which he was ordered to New Jersey. He was present at the battle of Springfield in June, 1780. Immediately after he was dispatched to New England to raise a body of volunteers and conduct them to West Point. While there he participated in the trial that decided the melancholy fate of Major John Andre, who was executed as a spy, the dupe of Benedict Arnold. Thereafter Stark had command of a foraging party in the vicinity of New York, taking booty from known tories. In 1781 he had command of the northern department, with headquarters at Saratoga. During the following year he was afflicted with rheumatism and remained at home, but reported to Washington again for service in April, 1783.

General Poor's brigade served in New Jersey in 1780, where Poor died. His three regiments were not reduced to two, as Belknap says, but continued under command of Colonels Joseph Cilley, Alexander Scammell and George Reid. The latter was of Londonderry and after the war was made brigadier-general of militia and sheriff of Rockingham county.

In 1781 a part of the New Hampshire men remained in New York, and another part went into Virginia and took part in the siege of Yorktown. They were present at the surrender of the British army commanded by Lord Cornwallis. Here the lamented Scammell was captured as he was reconnoitering and after his capture was mortally wounded. There was little fighting after this event. The British began to see that it would be no economic loss to them to have the American colonies independent, so long as England controlled the sea-trade. London and parliament got tired of the "unnatural and unfortunate war."

Belknap says that the first New Hampshire regiment, then commanded by Lieutenant-Colonel Dearborn, spent the winter of 1782 at Saratoga, and the second regiment on the Mohawk river. All through the war there was scouting on the northern frontier where Colonel Timothy Bedel, Major Benjamin Whitcomb and Captain Ebenezer Webster, with their Rangers, did good service in preventing attacks from Canada.

Early in the war Portsmouth began to send out privateers to prey upon the British shipping. The first mentioned was the schooner "Enterprise," commanded by Daniel Jackson and later by Thomas Palmer. Another armed schooner was the "McClary," whose captain was Robert Parker. She took many valuable prizes, among them the "Susanna," an American vessel trading at an enemy's port. This occasioned difficulty between the New Hampshire legislature and the Continental Congress, the decision of the State court being reversed. Thereupon followed a remonstrance, vindicating State rights. Some other vessels fitted out at Portsmouth were the "General Mifflin," commanded by Daniel McNeil; the "Rambler," by Thomas Manning; "Pluto," by John Hill; "Humbird," by Samuel Rice; "Fortune," by John Mendum; "Bellona," by Thomas Manning; "Adventure," by Kinsman Peverly; "Marquis of Kildare," by Thomas Palmer; "Portsmouth," by Robert Parker; "Hampden," by Thomas Pickering; and "General Sullivan," by Thomas Darling and Thomas Manning. Several of these were very fortunate in capturing ships loaded with supplies for the British army in Boston and New York. Thus provisions, guns and munitions of war were secured for the American troops. The "Hampden" especially had a remarkable career. She sailed in 1779 under command of Thomas Pickering. After taking several prizes and sending them into French ports she encountered an East Indiaman of thirty-four guns, and although she herself had only twenty-two guns she resolved to fight. The action continued two hours and a half, in which Captain Pickering was killed. His ship was roughly treated, the masts and rigging being shot away, yet she managed to get back to Portsmouth for repairs. The Indiaman probably went to the bottom. The "Hampden" was sold at auction to John Langdon, who sold her to the State. She was fitted up and sent with a fleet

of nineteen to sail to the Penobscot, where the whole fleet was defeated, run ashore and captured. The United States government paid to New Hampshire twelve thousand pounds for the loss of the Hampden.

A small island opposite the city of Portsmouth and belonging to Maine was originally called Withers Island from the name of its first owner, Thomas Withers. In the time of the Revolution it was known as Langdon's island, and here, at its north end, John Langdon laid the keel of the Continental frigate "Raleigh," March 21, 1776. She was launched just two months later but remained during this year in the river, commanded by Thomas Thompson of Portsmouth. She had thirty-two guns and a crew of one hundred and sixty men. The next year she sailed for France, having a fight with the "Druid" of fourteen guns on the way. In 1778 the Raleigh returned, laden with military stores, accompanied by the "Alfred," which was captured by two British warships, the Raleigh being too far away to give help. For this her commander was criticized and removed from command. Then Captain John Barry took charge and sailed as a convoy to two merchant ships. Two British frigates, one of fifty, the other of twenty-eight guns, sighted her and a running fight followed. To avoid capture the Raleigh was run ashore on Wooden Ball Island, about twenty miles from the Penobscot river and was set on fire. The British extinguished the fire, got her afloat and afterwards used her in the navy. Ten of the Raleigh's crew were killed and wounded, some were captured and a few escaped.

The "Ranger" was built on Langdon's Island, now called Badger's Island, on the same blocks and ways used for the "Raleigh." This was the first American ship to be coppered. The famous John Paul Jones took command of her in June, 1777. She had eighteen guns and one hundred and forty-five men, and she sailed for France on the first day of November, carrying the news of Burgoyne's surrender and capturing two brigantines on her way across the ocean. Captain Jones said she was the best of all the ships he ever commanded. The next year she captured several prizes, and her flag received the first salute in Europe given to an American flag. At Whitehaven, in the north of England Jones captured a fort, spiked the guns and set the shipping on fire. Then he fought and captured the

"Drake" off the coast of Ireland, a ship that had more guns and men than the "Ranger." In this engagement Samuel Wallingford of Sommersworth, Lieutenant of Marines, was killed. Returning to Brest with her prizes the "Ranger" was put under the command of First Lieutenant Thomas Simpson of Portsmouth and returned to the Pascataqua to be refitted, capturing several prizes on the way. Captain Simpson was a brother-in-law to John Langdon. In March, 1779, the "Ranger" sailed again, accompanied by the "Warren" and "Queen of France," commanded by Commodore J. B. Hopkins. Within three weeks more than eight prizes were taken, including one ship of twenty guns and another of eighteen, laden with stores for the British army. All this happened along the Atlantic coast. Returning to Portsmouth she sailed again the same year, with the ships "Queen of France" and "Providence," all under command of Commodore Abraham Whipple. They captured eleven merchantmen out of a fleet off the banks of Newfoundland and got eight of them to Boston, valued at a million dollars. In 1780 the "Ranger" with other ships was surrendered to the British, together with the land forces at Charleston, South Carolina, by General Lincoln.

There were Portsmouth and Kittery men with John Paul Jones on the "Bon Homme Richard" in the fight with the "Serapis" and on other ships with that noted commander. The "America," the largest ship built in America up to that time and the only battleship built in the United States during the Revolution, was begun on Langdon's Island in 1777 and launched November 5, 1782. This ship was presented to the French government by Congress, to replace their battleship "Magnifique," which had been lost near Boston.

This is by no means a complete account of the ships of war and privateers sent out from the Pascataqua. They were manned principally by men from Portsmouth and Kittery and the record of the American Navy in the Revolution fully equaled, if it did not excel, that of the army.<sup>6</sup>

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<sup>6</sup> The facts narrated above were gathered from Lieut. Remick's Kittery and Eliot in the Revolution and from Potter's Military Hist. of N. H.

## Chapter VII

### AN ALMOST SUCCESSFUL SECESSION



## Chapter VII

### AN ALMOST SUCCESSFUL SECESSION.<sup>1</sup>

Conditions in New Hampshire Grants at Outbreak of the Revolution—Rival Claims of New Hampshire and New York—Their Settlement More Seeming than Real—Revolt against Crown Reopens Question of Boundary and Jurisdiction—New Hampshire Organizes Provisional State Government—Assembly Substituted for Royal Governor—Towns as Political Units not Recognized in Representation—Disaffection of Towns East of the River with New Government—Refuse to Elect Delegates to the Assembly—Grants West of River Revolt against New York—Declare Independence and Form State of Vermont with the Connecticut as Eastern Boundary—Scheme for New State West of Mason Line and East of Green Mountains—Union with Vermont Sought by Grants in New Hampshire—Four Parties with Diverse and Conflicting Aims—Exeter, Dreden, Bennington, and New York—First Union of New Hampshire Towns with Vermont—Bennington Party Accomplishes Its Dissolution—Intrigue and Counter Intrigue—Proposal that New Hampshire Extend Jurisdiction over All the Grants—Second Union with Vermont Accomplished—All Parties Appeal to Congress—Delays of Congress Lead to Serious Conflict of Authorities in Cheshire County—Final Plan of Settlement Proposed by Congressional Commission—General Washington Writes Governor Chittenden—The Union Dissolved—The Connecticut River Becomes the Boundary—The Lost Cause, a Winning Cause—The Principle of Town Representation so Strenuously Contended for by the Grants Recognized.

THE revolt of the Province of New Hampshire against the Crown in 1775, reopened a controversy concerning jurisdiction and boundaries, which had seemingly been settled by order

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<sup>1</sup> This chapter was written by William Frederick Whitcher, who has given special study to the subject treated. Mr. Whitcher was born in Benton, August 10, 1845, son of Ira and Lucy (Royce) Whitcher. He was educated at Tilton Seminary and Wesleyan University, graduating at the latter institution in 1871. As a minister of the Methodist Episcopal Church he held pastorates at Newport and Providence, R. I., and New Bedford, Mass. Later he joined the editorial staff of the Boston Traveller and became editor-in-chief after four years. In 1892 he became literary editor of the Boston Daily Advertiser. In the spring of 1898 he removed to Woodsville, N. H., where he became editor and proprietor of the Woodsville News. He represented Haverhill in the legislature of 1901, 1903, 1905, 1907 and 1911, and in the Constitutional Convention of 1912. Was trustee of N. H. State Library, 1903-12. He is author of a Hist. of Conventry-Benton and numerous articles of a genealogical and historical character.

of the King in Council, July 30, 1764. It concerned the status of the New Hampshire Grants both east and west of the Connecticut River. The boundaries of the original province of New Hampshire, known as the Mason Grant, were definitely fixed, commencing on the seaboard three miles north of the mouth of the Merrimack river, thence up that river by the north line of Massachusetts sixty miles, thence to a point on the Piscataqua river sixty miles above its mouth, thence by that river to the sea. The true course of the Merrimack was, however, at that time, 1629, misunderstood, and to remedy this misunderstanding, the present northern boundary of Massachusetts was established by the King in Council in 1739. The Mason Grant as thus fixed was bounded on the south by the Massachusetts line extending west sixty miles from the seaboard, thence on a line known as the Mason line to the former sixty mile point on the Piscataqua, thence to the southern boundary. The settlers on the Grant were under the jurisdiction of Massachusetts until 1679, when a president and Council were appointed by Royal Commission to govern the province, and this government, arbitrary in its nature, was continued without substantial change until the outbreak of the Revolution. The grant to the Council of Plymouth in 1620 of lands included between the 40th and 48th degrees of north latitude was not limited by any western boundary, and Massachusetts and Connecticut claimed indefinitely to the westward. New York, by the grant of 1663, was bounded on the east by the Connecticut river. A dispute arose between these colonies, which was settled by a royal commission in 1664, by the establishment of the present line twenty miles east of the Hudson river. A re-grant of New York, ten years later in 1674, again named the Connecticut river as the eastern boundary, but Massachusetts and Connecticut by exclusive occupancy of the territory to the line established by the commission in 1664, still claimed to this line which was acquiesced in finally by New York.

Up to the time that Benning Wentworth was appointed governor of the province of New Hampshire in 1741, all the territory north of the Massachusetts line, east of New York, south of Quebec and west of the Mason line remained ungranted and under the immediate jurisdiction of the Crown. The com-

mission issued to Wentworth, July 3, 1741, described the province as "bounded on the south side by a curve pursuing the course of the Merrimack river, at three miles distance, on the north side thereof, beginning at the Atlantic ocean, and ending at a point due north of a place called Pautucket Falls, and by a straight line drawn from thence due west across said lines till it meets with our other governments; and bounded on the east side by a line passing up through the mouth of Piscataqua harbor, and up the middle of the river to the river of Newichawanock, part of which is now called Salmon Falls river, and through the middle of the same to the furthest head thereof, and from thence two degrees westerly, until one hundred and twenty miles be finished from the mouth of Piscataqua harbor aforesaid, or until it meets with our other governments." The vital phrase in this description is this: "*till it meets with our other governments.*" All previous commissions for the government of New Hampshire had included only the old Mason grant of 1629. Governor Wentworth assumed that his jurisdiction included all the ungranted territory between the Mason line and the King's other provinces, New York on the west and Quebec on the north. His commission authorized and commanded him to grant townships in the new territory in the King's name, and to incorporate the grantees into bodies politic in powers and privileges equal to those enjoyed by Massachusetts and Connecticut towns.

Governor Wentworth claimed jurisdiction over the territory eastward of a continuation northward of the line between Massachusetts and Connecticut on the east and New York on the west, and in obedience to the instructions in his commission proceeded to grant townships west of the Connecticut river. The first was that of Bennington, the charter being dated Jan. 3, 1749. It is significant that this grant was in the extreme southwestern corner of the territory claimed by the New Hampshire governor. Correspondence ensued between the New Hampshire and New York governors. In reply to a letter of Governor Wentworth to Governor Clinton of New York as to the eastern boundary of New York, the latter wrote under date of April 9, 1750, that the letters patent from Charles II. to the Duke of York expressly granted all the lands from the

west side of Connecticut river to the east side of Delaware Bay. Governor Wentworth replied under date of April 25, 1750: "This would be entirely satisfactory to me, had not the two charter governments of Connecticut and Massachusetts Bay extended their bounds many miles to the westward of said river; and it being the opinion of his Majesty's Council of this government, whose advice I am to take on these occasions, that New Hampshire had an equal right to claim the same extent of western boundaries with those charter governments, I had in consequence of their advice before your letter came to my hands granted one township due north of the Massachusetts line of the contents of six miles square and by measurement twenty-four miles east of the City of Albany; presuming that this government was bounded by the same north and south line with Massachusetts and Connecticut before it met with his Majesty's other governments. . . . It will therefore give me great satisfaction, if at your leisure you can inform me by what authority Connecticut and Massachusetts governments claimed so far to the westward as they have settled; and in the meantime I shall desist from making any further grants on the western frontier of my government that may have the least probability of interfering with your government."

Governor Clinton replied that the claim of Connecticut was founded upon an agreement with New York, made in or about the year 1684, afterwards confirmed by King William, and that the Massachusetts government at first possessed themselves of those lands by intrusion, and, through the negligence of New York had continued their possession. He suggested that Governor Wentworth recall the grant of Bennington and that failing this he would feel obliged to have the matter laid before his Majesty. Governor Wentworth replied that it would be impossible for him to recall the grant, but acquiesced that he would with pleasure submit to a reference of the matter to his Majesty.

Notwithstanding his disclaimer of intention of making other grants on the disputed territory until the matter was settled, the New Hampshire governor did issue fifteen grants before the outbreak of the French-Canadian war in 1754, and after the Conquest of Canada in 1759, during the period from January 8, 1760 to June 15, 1764, he issued no less than one hundred and

eighteen charters for towns on the west side of the river and fifteen or more on the east side. In many of these new towns settlement was begun, and in some cases proceeded rapidly.

New York persisted in its claim to jurisdiction as far east as the Connecticut river, but made no grants of territory, pending adjudication of the dispute by his Majesty, her governor contenting himself with warning off the settlers under the Wentworth grants. There were proclamations and counter proclamations, representations and counter representations to the home government, until the matter was settled by an order of the King in Council, dated July 20, 1764, decreeing the west bank of Connecticut river to be the dividing line between the two provinces. Governor Wentworth and his successor continued to make grants east of the river where the jurisdiction of New Hampshire was undisputed, until the revolt against royal authority.

The grantees of the larger number of the townships on the west side of the river and of a considerable number on the east side were from Connecticut, with a lesser number from Massachusetts and Rhode Island. The present names of New Hampshire towns in the Connecticut valley, and of Vermont towns are indicative of the residences of these grantees, and of the localities from which in many instances the first settlers came. There was a predominance of the Connecticut element in the population, and the Connecticut idea of the town as the unit of government became the dominant idea. The towns existed by charter from the Crown through its representative, the royal governor, and these charters conveyed liberal powers. New Hampshire was without charter; the authority of the governor was derived solely from royal commission. The new towns were remote from the seat of provincial government at Portsmouth, the sparseness of their population increased their danger from Indians, and they were left for their development and security largely to their own resources. It was but natural that, imbued with the spirit and idea of local self-government, with which no superior authority dared to interfere, these towns developed a system of government, purely democratic in its features, making them in very truth little republics. By very force of circumstances these towns were compelled to assume, each in its

individual capacity, nearly every function of civil government. Indeed it was this spirit of independence which was used by New York as an argument in urging the home government to give New York jurisdiction to the Connecticut, since New York would be more likely than New Hampshire to restrict the independence of these little chartered republics.

The transfer of the Grants west of the river to the jurisdiction of New York was obnoxious to the settlers. The New York government was a centralized system, having little place for a town system. Again when New York claimed that the order in Council of 1764 was retroactive and served to invalidate the titles of the settlers to their lands under the Wentworth charters, a spirit of uncompromising hostility was aroused, especially on the west side of the Green mountains, and systematic evictions of the settlers from their lands and homes were begun. On the east side, there was less hostility, the power of New York being much less felt. Indeed many of the towns, in order to provide for future contingencies, secured in addition to the charters under which they had been settled new charters or grants from New York, thus avoiding trouble and confirming them in their titles to their lands and homes.

The revolt of the colonies against the Crown gave the people of the Grants, under the jurisdiction of New York, their opportunity to free themselves from that jurisdiction, which they were not slow to seize. They had already organized Committees of Safety, determined bands were under arms, styling themselves Green Mountain Boys, and at the commencement of hostilities against the royal authority a company of these under the leadership of Ethan Allen had marched against Ticonderoga and had captured that fortress, together with Crown Point, from the British garrisons. As early as April 11, 1775, a Convention of the Committees of Safety of Cumberland County—that part of the Grants south of Windsor and west of the Green Mountains, met at Westminster and voted that it was the duty of the people of the Grants in the interest of self-preservation “to wholly renounce and resist the administration of the government of New York.” This was followed by other conventions; one at Dorset, January 16, 1776, which addressed to Congress a remonstrance against further submission to New York, and

prayed that they might act independently as a separate district, in order that they might render the most efficient service possible in the common cause against Great Britain. Through the influence of New York in Congress, submission to New York was recommended by that body until the issue between the Colonies and Great Britain should be decided. Another convention met at Dorset, July 24, 1776, and still others by adjournment, at which resolves in favor of the formation of a new state were passed, until the convention with a large representation from all sections of the Grants met at Westminster, January 15, 1777, and published a declaration to the effect "that they would at all times act as a free and independent state, capable of regulating their own internal police; that they had the sole exclusive right of governing themselves in such manner as they should choose not repugnant to the resolves of Congress; and that they were ready to contribute their proportion to the common defence." The name of New Connecticut was adopted for the new state. Delegates were appointed to convey this declaration to Congress, with a petition for representation in that body on an equality with other states. The opposition of New York, however, caused Congress to delay action on the petition. An adjourned Convention was held at Windsor at which the name of Vermont was adopted for the new state, a committee appointed to draft a constitution, and a new convention called to meet at Windsor, July 2, to act upon the report of the Committee. This Convention met and adopted the constitution, adjourning, however, till December in order to perfect and revise it in minor matters. The first election of officers under it was held March 4, 1778, and the state government of Vermont was fully organized on the 12th of the same month.

All this time a spirit of unrest and dissatisfaction had prevailed in many of the Grants on the east side of the river. From the very beginning there had been little in common between the government at Portsmouth and the Grants. The settlers were largely from Connecticut, adherents of the religious sect prevailing there, while those from Massachusetts came at a time when a long conflict between the assembly and the executive had resulted in a deep-rooted prejudice on their part against both the executive and the judiciary. Among their

leaders were many educated men, graduates of Yale and Harvard, radical in their ideas of civil government. In Connecticut the right of suffrage was held sacred, and under the Connecticut charter the people had the privilege of electing annually all their officers. Church and state were blended, the town was the parish, and ministers were called and settled by church and town meeting. Where, as in Connecticut, the great mass of the people were of the same religious faith and practice, the system worked most satisfactorily, and the Connecticut idea had been adopted by many of the settlers who came from Massachusetts. The prevailing theory among the settlers in the Connecticut valley on both sides the river was that a practically universal right of manhood suffrage, and the town system of government pure and simple were the best security for liberty and happiness, and the remedy for political ills. The government at Portsmouth was little more than a name to the settlers in the Coos country. Governor Wentworth issued charters on terms so liberal as to encourage settlement and then left these settlers and their towns pretty much to themselves, except to see that rents and taxes were paid. Representation in the Provincial Assembly was at the pleasure of the Governor, and the towns outside the Mason Grant with their well-known radical democratic proclivities were given scant attention, and it is not to be wondered at that they paid little attention to enactments in which they had no voice. The government at Portsmouth was well nigh absolute in its character. Destitute of a charter, the power of the Provincial Assembly had from the first been little more than that permitted by the Royal Governor and its chief business seems to have been simply to register his decrees. Only four towns were represented in the first Provincial Assembly in 1680, and the electors who were to choose representatives were expressly named in the precepts issued. Towns were added from time to time until in the last Assembly elected in 1775, forty-three were represented while upwards of one hundred were ignored and had never been permitted a voice in legislation at all. In all the region west and north of the watershed between the Merrimack and the Connecticut only three towns had ever had delegates admitted to seats. Some of the towns had chosen delegates, but they were denied ad-

mission on the ground that they had been elected without a precept from the governor, and so illegally. The leading men of the province were aristocratic merchants and professional men of the seaboard county of Rockingham, who had grown rich by special favor of the government, and they were not disposed to share such powers as were permitted them by the Royal Governor with the leaders of the newer communities. In the Assembly which met May 4, 1775, members presented themselves from Plymouth, Orford and Lyme, Grafton county towns, elected in response to the King's writ issued by the Governor, but they were unanimously refused seats on the ground that the House had not given its assent to the writ. A controversy arose between the Governor and the House, and on the refusal of the latter to rescind its action relative to these three members, the Governor, July 28, sent a message from Fort William and Mary whither he had retired, adjourning the Assembly to September 28. Events were moving rapidly and before the 28th of September Governor Wentworth had left the Province never to return.

Had it not been for the appointment by the House in May, 1773, of a Committee of Correspondence with sister colonies consisting of seven members, which committee had called for a meeting at Exeter, July 21, 1774, for the purpose of choosing delegates to a Continental Congress, the departure of Governor Wentworth from the province would have left it without any semblance of governmental authority except such as was possessed by the towns under their charters, and anarchy must have resulted. This meeting of deputies which has been styled the First Provincial Congress, elected delegates to the Continental Congress, but transacted little other business. A second meeting, the Second Provincial Congress, met in Exeter, January 25, 1775, with a more general representation of the towns, no less than one hundred and forty-four members being present, and issued an address to the people of the province. It also appointed a committee of seven to act in behalf of the province in calling "a Provincial Convention of Deputies, when they shall judge the exigencies of public affairs required." They were also, with the addition of two others, to act as a Committee of Correspondence. A third Provincial Congress met at Exeter,

April 21, and a Fourth, May 17, 1775. At this Congress one hundred towns were represented, and it continued in session until November 15. After the departure of Governor Wentworth from the Province, this Congress was the only organization making any pretense of exercising provincial authority. In answer to an appeal to the Continental Congress for instructions as to what course should be taken in the exigency existing, that body voted the following:

Resolved that it be recommended to the Provincial Convention of New Hampshire, to call a full representation of the people, and that the Representatives if they think it necessary, establish such a form of government, as in their judgment will best produce the happiness of the people and most effectually secure peace and good order in the province during the Continuance of the present dispute between Great Britain and the Colonies.

In accordance with this recommendation, the Congress at Exeter, November 4, 1775, stated "that every town, parish or precinct in this colony containing one hundred freeholders may send one delegate to the Congress or general assembly and that every such town, parish or precinct having a greater number of freeholders may send a member for every hundred such freeholders." It was further voted that if a town, parish or precinct have less than one hundred, it should be coupled with one or more others until the requisite number was made up. This was a partial recognition of the theory of the town as the political unit, but only partial.

The plan or method of representation as adopted November 14, was the following:

That every legal inhabitant paying taxes shall be a voter.

That every person elected shall have a real estate in this colony of the value of two hundred pounds lawful money.

That no persons be allowed a seat in Congress who shall themselves, or any person at their desire, treat with liquors, &c., any electors with an apparent view of gaining their votes, or by treating after an election on that account.

That the precepts signed by the President of this Congress, be sent to the Selectmen of each town named singly to be represented, to elect and choose a person to represent them in Congress to meet at Exeter on the twenty-first day of December next; also to the town or parish designated where towns or parishes are classed together, to notify the several towns or parishes in their respective classes to meet at the most convenient place in their town or parish to accommodate the whole electors, to choose some per-

son qualified to represent them as aforesaid; and all selectmen are directed to give the electors fifteen days' notice of the time and occasion of meeting.

Said members when met to sit in Congress as often and so long as they shall judge requisite for acting the public business of this colony's and to be impowered by their constituents to prosecute such measures as they may deem necessary for the public good during the term of one year from the first meeting unless they shall see fit to dissolve themselves sooner.

And in case there should be a recommendation from the Continental Congress for this Colony to assume government in any way that will require a House of Representatives, that the said Congress for this colony be impowered to resolve themselves into such a House as may be recommended, and remain such for the aforesaid term of one year.

Having adopted this plan this Fourth Provincial Congress came to an end November 15. There were in this Congress in attendance a whole or part of the time, one hundred and fifty-one delegates representing one hundred and thirteen towns. The plan adopted for the Fifth Congress provided for eighty-nine delegates representing one hundred and sixty-one towns and parishes. Rockingham County with its forty-four towns was to have thirty-eight members; Strafford County, nineteen towns, thirteen members; Hillsborough County, thirty-one towns, seventeen members; Cheshire County, thirty-three towns, fifteen members; Grafton County, thirty-four towns, six members. The province had been divided into these five counties in March, 1771, but Strafford and Grafton were to be "parts and members of the County of Rockingham," until the Governor and Council should "declare them sufficient for the exercise of jurisdiction." This condition was fulfilled for Grafton, and courts were established at Haverhill and Plymouth in February, 1773. Grafton County, however, had no representation in the General Assembly of the Province. In the Fourth Provincial Congress, sixteen Cheshire towns were represented by sixteen delegates, and Grafton County sent sixteen delegates representing also sixteen towns. The new plan of representation which had been adopted for the Fifth Provincial Congress, it need not be said met with great disfavor in Cheshire and Grafton towns especially in the Connecticut Valley. The town as the unit of government was ignored. With the exception of the towns of Keene, Westmoreland, Walpole, Charlestown and Claremont, all the thirty-three towns of Cheshire County were classed, and

all the thirty-four towns of Grafton were placed in six classes, each class being given one representative.

The controversy which was a fateful one began with protest of Hanover, and this protest was but natural. Dartmouth College had been established at Hanover in 1769. It was remote from the seat of Provincial government at Portsmouth, and with the exception of the patronage and encouragement given it by the liberal minded Governor John Wentworth, it was not looked upon with favor by the leaders in Rockingham County. There were men fitted for leadership in the Connecticut Valley towns on both sides of the river, and Hanover became the natural centre. The river was only nominally a dividing line between separate provinces. Indeed, as a channel of communication up and down the valley it fostered a community of interest in the river towns. The leaders among the settlers were many of them scholarly, all able men, versed in the science of government, whose zeal in public affairs had given the river towns prominence. At Hanover there were President Eliezer Wheelock, his son and successor John Wheelock, his brother-in-law, Bezaleel Woodward, first professor of mathematics, and Jonathan Freeman. In Bath and Haverhill there were the Bedels, the Hurds, the Porters, the Johnstons, the Hazens, the Ladds and Woodwards; in Orford the Moreys; in Lyme, the Childs; in Cornish, the Chases; in Lebanon, the Paynes, while the Bayleys and Kents in Newbury, the Marshes at Hartford, the Olcotts at Norwich on the west side of the river were equally able and influential. Portsmouth gave them little or no recognition, and there was little bond of political sympathy between the two sections. The settlers of the towns west of the river had also little in common with those of the towns west of the Green Mountains. These latter were in religious matters known as Separatists, who, suffering persecution at the hands of the prevailing "standing order" in Connecticut and Massachusetts had gone in large numbers to the towns or Grants west of the mountains, and established themselves in communities where their theories of government and religion had free play. Among them were the Fays, the Robinsons, the Deweys, the Warners, the Allens. Bennington was the political centre of these bold and daring men who were opposed to any central executive

power as inconsistent with political and religious liberty, and who were from the first rebels against the government of New York.

The revolt against the Crown gave them their opportunity. They were the organizers of the State of Vermont, and in the controversy which began they were known as the Bennington party. They in common with the valley towns on both sides of the river held to the theory of the town as the unit of government, but the natural barrier of the Green Mountain range prevented other genuine community of interest. The valley towns had common interests, and they were separated alike from the towns on the west of which Bennington was the centre, and from the towns on the east of which Portsmouth under royal authority, and Exeter under revolutionary authority, were the centres. What wonder the dream of a new and separate State in the Connecticut Valley with Hanover the center and capital! What more natural than four distinct parties, each with distinct aims and purposes, the Exeter party, the College party, the Bennington party, the New York party!

As has been said the first protest against the plan of government, especially the lack of town representation in the legislature of that government, came naturally from Hanover. Hanover had been represented in the Fourth Provincial Congress, but in the plan of representation adopted for the Fifth had been classed with Lebanon, Canaan, Grafton, Relhan (now Enfield) and Cardigan (now Orange). A precept was sent to Hanover as the chief town of the class, but the precept was sent back by the selectmen without return, and a second precept was likewise ignored. The other towns in Grafton county, dissatisfied with the plan of representation, complied so far as to send delegates, and when the Congress met December 21, 1775, the Hanover class was the only one unrepresented. John Wheelock was however sent with a petition in behalf of the towns in the class which was presented to the Congress, December 25. This petition represented "that the towns of Hanover and Lebanon contain nine hundred souls, a number more than is necessary to be entitled to the privilege of sending a member to the Congress; and as the six towns in the class contain about eleven hundred souls, and as their communication is so difficult and distance

so great that they cannot be properly represented by one person, considering a representation in this unsettled critical and interesting day as being most necessary,"—it was requested that the House grant these six towns the privilege of two representatives during the year only by which the present plan of representation is limited, and that precepts be issued accordingly. This petition received scant attention, and was somewhat abruptly dismissed. The other towns in Grafton County, which, while dissatisfied, had sent representatives, were still more dissatisfied, when the Congress early in January, 1776, resolved itself into a House of Representatives, and adopted a provisional constitution, which provided for a Council as an upper branch of the legislature, which Council it proceeded to elect from its own membership. At the session in March, 1776, the Haverhill class, consisting of that town with Bath, Lyman, Gunthwaite (now Lisbon), Landaff and Morristown (now Franconia) was unrepresented, and before the close of the year, practically the whole of Grafton County and a large part of Cheshire had followed the lead of Hanover and Haverhill. Col. John Hurd of Haverhill, who had been a favorite of the Wentworth government, and who had been elected to the Council for Grafton, adhered to the Exeter government. Dissatisfaction and disaffection soon resulted in plans for combination. Lebanon at a town meeting held in February took the first step in choosing a committee to correspond with other towns. In April circular letters were sent out from Hanover, which led to a meeting of the united committees of eleven towns at College Hall, Hanover, July 31, 1776. The towns represented at this meeting were Plainfield, Lebanon, Enfield, Canaan, Cardigan (Orange), Hanover, Lyme, Orford, Haverhill, Bath and Landaff. Action taken by this meeting resulted in a series of complications which lasted through the entire war of the Revolution, complications of serious import, which fell short of bloodshed only because the patriotic devotion to the common cause of country, shown by these rebels against what they regarded as unwarrantable usurpations of power by the Exeter government, was greater than their sense of local grievance. No account of the proceedings of this meeting or convention has been preserved, but an address "to the people of the several

towns throughout the colony," signed by Nehemiah Estabrook as chairman, and Bezalcel Woodward as secretary of the meeting, was printed and widely circulated, producing a profound impression. President Meshech Weare of the New Hampshire Council, in transmitting a copy of it to the New Hampshire delegates in the Continental Congress, speaks of it "as fabricated at Dartmouth College and calculated to stir up contention and animosities among us at this difficult time: especially as our government is only temporary and the state of the matter not allowing a revisal. However this pamphlet with the assiduity of the College Gentlemen has had such an effect that almost the whole county of Grafton, if not the whole, have refused to send members to the new Assembly which is to meet next Wednesday." (December 18, 1776.)

This address, subsequently known as the College Hall address, is a remarkable document. It sets out with the declaration: "The Important Crisis is now commenced wherein the providence of God, the Grand Continental Congress, and our necessitous circumstances, call upon us to assume our natural right of laying a foundation of Civil Government within and for this colony. Our anxious concern how the present time may be improved, whenever we are acting, not only for ourselves, but ages yet unborn; and on which the fate of posterity politically depends, imbolden us to address you in this manner upon the important subject." Here is a complete ignoring of all that had already been done at Exeter, and in part of which some of the towns represented at this College Hall meeting had been participants. But the authors of this address proceed to give at length, and with what must be regarded rare ingenuity and force, their reasons. They point out that the American colonies had lost their liberties under the British constitution—supposed to be the best in the world—by a really criminal neglect on their part to insist on their right to representation in Parliament. They lay down as a self-evident proposition "that, whenever a people give up their right of representation, they consequently give up all their rights and privileges: this being the inlet or door of arbitrary power and oppression; therefore upon the present exigency of affairs, it behooves every individual who is a subject of Government to attend to the

important business—see and act for himself. No one is excused as we are all upon equal footing, and all are equally interested. Therefore let us, like free born Americans, know our rights and privileges, and like rational men act up to our exalted character. Let us not give occasion to our neighbors or posterity to reproach us, by saying, that we made a glorious stand against the strides of arbitrary power, and oppression; and with our blood and treasure gained the happy conquest, but in the first advance we made towards establishing a constitution for ourselves and posterity, we either inadvertently or carelessly gave up our most essential rights and liberties, or rather that we did nothing to preserve them.”

They then proceed to inquire into the present state and circumstances of the colony:

“We shall doubtless agree that the former government of this colony was in a manner absolute . . . especially in point of representation, which was solely under control of the Magistrates of the Colony . . . and also that the whole intention of the people now is to abolish the old, and form a new government upon a republican establishment. . . . It will also be allowed, no doubt, that as the colony hath formerly been divided into counties, towns and districts, for the convenient and regular government of the same, they will still act as such.”

They proceed to argue that the necessary step to be first taken is for the people to elect representatives for the purpose of laying a foundation or form of civil government for the colony.

“It will be objected, no doubt,” they go on to say, “that there is now subsisting in the colony an Assembly lately appointed by the people; who have formed themselves into a Council, and House of Assembly, and that said Assembly have already formed a plan for electing a new Assembly, this ensuing fall, for the then ensuing year; and therefore it would be preposterous now to appoint a new Assembly; to which we answer, 1st, that at the time when the members of said Assembly were elected, the reasons which make it now necessary that an Assembly should be appointed did not exist: as the reasons for calling said Assembly then, and the purpose for which they

were appointed, was only of a temporary duration: (viz.) to act in the exigencies of the Colony, under their distressed and difficult circumstances, as the case might require. No one we believe thought at that time, they were appointed to institute a lasting plan of Civil Government for the Colony: especially independent of and in contradistinction to the Crown of Great Britain; therefore they were not elected for that purpose: and consequently have not the power that an Assembly now ought to have." They then proceed to state the ground of their discontent, and their position as follows:

A former convention, sitting in this Colony, elected much, as it chanced to happen. under our then broken and confused circumstances, assumed to themselves the prerogative to regulate and determine how the assembly should be elected,—omitting some towns—uniting a half dozen others together for the purpose of sending one. \* \* \* as they of their sovereign pleasure thought fit to dictate, \* \* \* by means of which many towns were deprived of any representation at all, and others so in effect, \* \* \* *The number of inhabitants in this case in point of right argues nothing in favor of the proposition; for every body politic, incorporated with the same powers and privileges, whether large or small, is legally the same.* We may with parity of reasoning as well argue that a small body, consisting of all the constituent parts to a man, is not a man, because there are some others of the same species of a larger size. \* \* \* To unite half a dozen or more towns together, equally privileged, in order to make them equal to some other one town is a new practice in politics. We may as well take the souls of a number of different persons, and say they make but one, while yet they remain separate and different, as in a political sense to compound a number of different corporate bodies into one, and yet they remain distinct. \* \* \* If this principle must take place, we had better lay down our arms, and spend no more precious blood and treasure in this contest; for it is only destroying on the one hand, and setting up the same thing, or that which is worse on the other: they who will tamely submit to such a government as this, deserve not a cohabitation among a free people. \* \* \* The true state of the case is that we have no legal power subsisting in the Colony, for the purposes, for which it is now necessary there should be. It is still in the hands of the people to whom we address ourselves; and whom we call upon to exercise the rights and privileges they have to erect a supreme legislative Court for the Colony, in order to lay a foundation and plan of government in this critical juncture of affairs; and that we no longer remain as in a state of nature or anarchy, without law or government. Now is the time, when we may not only act for ourselves—but we are called upon to do it; and if this opportunity be lost, we shall not have it renewed again, although we may seek it carefully with tears when it is too late. \* \* \* As for ourselves we are determined not to

spend our blood and treasure, in defending against the chains and fetters that are forged and prepared for us abroad, in order to purchase some of the like kind of our own manufacturing.

Indeed it was claimed that the whole power of the state could not deprive a single town of its right of representation, as such, in the legislature without its consent, and the way was prepared for a subsequent declaration that the State of New Hampshire, so far as the grants might enter into it, could be only a voluntary confederation of towns. It was a bold stand taken by the delegates from these towns. The authorship of the address is not known, but it was probably written by Bezaleel Woodward or Col. Elisha Payne of Lebanon or was the joint product of both. They were both trained lawyers and men of recognized ability. Payne had only recently been appointed by the Exeter government one of the four judges of appeals of the new state, and later in 1781 became chief justice of Vermont. Woodward also was in 1778 appointed one of the five judges of the Supreme Court of Vermont, though two years previously in an evident attempt to conciliate him and his supporters he had been appointed one of the justices of the Court of Common Pleas for Grafton County.

This address had a powerful influence in increasing the disaffection in other towns. The meeting was adjourned to meet at College Hall in October, and again adjourned to meet at the same place in November. There is no record of what was done at these meetings, except that some resolutions were passed which did not meet with the approval of all the towns represented. It is probable that no less than sixteen towns were represented at the November meeting. An attempt was made by the Assembly to conciliate the towns comprising the Hanover class so that Hanover, Canaan and Cardigan (Orange) should be entitled to one representative, and Lebanon, Relhan (Enfield) and Grafton to another, and precepts for the new Congress to meet December 18, 1776, were issued accordingly. The Hanover selectmen returned the precept stating that a meeting of the inhabitants of Hanover, Canaan and Cardigan had been held at which it was voted unanimously to approve the address issued by the College Hall meeting of the previous July, and not to choose a representative to the Assembly as directed in

the precept. Among other reasons for their refusal they stated the following:

Because no plan of representation is as yet formed in this state consistent with the liberties of a free people, in that the people have not universally had a full representation in any assembly since the state was declared independent of the Crown of Great Britain, by which declaration we conceive that the power of government reverted to the people at large, and of course annihilated the political existence of the Assembly which then was. \* \* \*

Because the precept in consequence of which this meeting was called, is inconsistent with the liberties of a free people, in that it directs to have different corporate towns, who have a right to act by themselves, unite for the purpose of choosing a representative and Councilor.

It was also voted not to give in vote for Councilor, as directed in the precept:

Because we can see no important end proposed by their creation unless to negative the proceedings of the House of Representatives, which we humbly conceive ought not to be done in a free state.

Because every elector ought to have a voice in the choice of each Councilor, in cases where they are needful, and not to be restricted in his choice to any particular limits within the state. For which reason we protest against any Councilor being chosen in this county.

Other towns took action similar to that of the Hanover class. Among those which returned the precepts giving at length their reasons therefor, of which record has been preserved, were Lyme, Acworth, Marlow, Alstead, and Surry. Chesterfield gave its representative instructions to insist on the right of towns to have representation, as such, and failing in this to return home. The towns of Haverhill, Lyman, Bath, Gunthwaite, Landaff and Morristown in returning their precept gave substantially the same reasons for non-compliance as the others, with this declaration additional: "That when the Declaration of Independence took place, the Colonies were absolutely in a state of nature, and the powers of government reverted to the people at large, and of consequence annihilated the political existence of the Assembly which then was."

When the new legislature met December 18, Grafton county, except the towns in the Lancaster and Rumney classes, was entirely without representation. Col. Hurd's term as Councilor had expired, and the county was without representa-

tion in that body. The House appointed a committee of twelve on the third day of the session to consider the situation which made a report January 3, intended to be conciliatory, which was adopted, and it was voted that President Meshech Weare, Benjamin Giles, John Wentworth, Jr. and Josiah Bartlett be a committee to visit Grafton county and attempt to allay the existing disaffection. They were instructed "to inform the people of the true nature and form of the present government and method of representation, and in particular that it was and is only designed for the present contingencies, or until the war with Britain be ended, and the people at leisure could come with that attention absolutely necessary on such occasions to form and settle a lasting and permanent plan of government; and in the most earnest manner entreat the people to consider the consequences of such discords and divisions among ourselves; that they would not weaken the hands of their brethren in the common cause and thereby be the means of bringing the greatest calamity and distress on themselves and us, but coolly, calmly and considerately enquire for themselves, and engage with heart and hand consulting the best interest of the whole."

The temper of the people in the Grafton county towns was such, however, that something besides fine words and high sounding promises was necessary for their conciliation. As to being informed concerning the nature and form of the government set up at Exeter, and the "method of representation," they deemed themselves to have already all the information necessary. They were not asking for useless conferences, and could see no profit in indulging in conversation. The committee prepared for its visit and President Weare sent out in its behalf a printed circular announcing that they would be in Hanover February 10, 1777, to converse with any persons the people should appoint "in order to give them all the satisfaction they can with regard to the proceedings of the Assembly, for the promotion of peace and harmony."

This circular was followed by one issued by the Hanover or College party, signed "Republican," in which four questions vital to the contest were raised: "1st. Has each incorporated town any distinct powers? 2d. Is each incorporated town vested

with any legislative privileges? If so, then let it have independent weight in the legislature of the *State*, as far as the said distinct privileges may entitle. 3d. Has one incorporated town as much power in itself as another? Then it may claim the same weight in government. 4th. Does every State, small as well as large, have equal weight in the American Congress? If so, then every town incorporate has the right in the assemblies of each state. In short, a political body that superintends a number of smaller political bodies ought necessarily to be composed by them without any regard to individuals. We proceed to observe that the declaration of independency made the antecedent form of government to be of necessity null and void; and by that act the people of the different colonies slid back into a state of nature, and in that condition they were to begin anew."

In view of the forthcoming visit of the committee from the Assembly for the purpose of compromising matters with the people of the protesting towns, Republican urges a strenuous adherence to two important articles: "(1) That you give not up an ace of the rights that the *smallest* town has to a distinct representation if incorporated, the bare number of individuals being, in this case, out of the question. 2d. That as the present assembly is unconstitutional, being the same, virtually, as before the declaration of independency, they do dissolve themselves, after having notified each corporate town to form a new body that may fix upon a plan of government, which can be the only proper seal of your concurrence in independency. Thus you will act a consistent part, and secure your palace from being pilfered within while you are filling up the breaches that are made without."

Delegates, or committees to the number of twenty-eight from the towns of Morristown (Lisbon), Bath, Landaff, Haverhill, Piermont, Lyme, Hanover, Lebanon, Plainfield, Relhan (Enfield), Cardigan (Orange), and Canaan met with President Weare and his associates from the New Hampshire Assembly, in Lebanon, February 13, 1777. The delegates were: Jacob Sheafe, of Morristown; Nathl. Harvey, of Landaff; Timothy Bedel, Elisha Cleveland, Bath; James Bayley, Ephraim Weston, James Abbott, Haverhill; John Patterson, Jona. Chand-

ler, Piermont; Thomas Gilbert, Joseph Skinner, John Sloan, Walter Fairfield, Lyme; David Woodward, Aaron Storrs, Jona. Freeman, Bezaleel Woodward, Hanover; Nehemiah Estabrook, John Wheatley, John Griswold, Lebanon; Francis Smith, Amos Stafford, Thos. Gallop, Plainfield; John Lassell, Relhan; Samuel Jones, Thomas Baldwin, Canaan; Elisha Payne, Bela Turner, Cardigan.

After a full and free conference they met by themselves, chose Col. Timothy Bedel, chairman, Bezaleel Woodward, secretary, and voted to report to a meeting of the United Committees to be held in Lebanon the next day, February 14, as follows: "That we have held a free conference with said Assembly's Committee, particularly respecting the place of representation which has been pursued in this state; and that no one of us is as yet in any degree convinced of the justice or equity of said plan, but that our apprehensions of there being just ground for our uneasiness in that respect are still as great as they have heretofore been." It was also voted to send a copy of this report to the Assembly's Committee.

It should be said that the College Hall meeting of the previous July had never dissolved but had adjourned from time to time and had taken to itself the name of United Committees of the New Hampshire Grants. Indeed this body, frequently changing in numbers and in towns represented, continued to meet and act during the entire controversy and never seems to have been finally dissolved. This body circulated pamphlets in support of its views of government and representation and at times assumed functions semi-legislative in character. Its relations with the State of New Hampshire were at all times strained. Its members were thoroughly devoted to the cause of the colonies, and only refrained from open rebellion against the authority of the Exeter government because of their devotion to the Common Cause. It recommended to the Committees of Safety of the various towns represented, to take cognizance of breaches of the peace and crime so far as was necessary to prevent the outbreaking of disorder, that they be empowered with the selectmen to license public houses, receive reports of tything men and constables and act on them, and to join with other Committees in procuring standards of weights and meas-

ures. At one meeting January 28, 1778, it went so far as to recommend to the disaffected towns to show their devotion to the cause of the colonies by raising their respective portions of the taxes called for by the Exeter government and the Continental Congress; but to leave the same in their respective treasuries to be applied to measures for the common defense, free from the control of any external power whatever. This recommendation was adopted by many of the Grafton County towns.

Meetings of the United Committees were held February 14, again by adjournment April 2, in Lyme, and again by adjournment in Hanover, June 11, 1777. At this latter meeting an address to the New Hampshire Council and Assembly was adopted. It recited the events of the previous two years. Their participation in the Provincial Congress which set up the government at Exeter was explained by the statement that the said Congress was to be continued for the space of six months only, but that near the close of its sessions, without any authority whatever vested in them by their constituents, a majority of its members assumed to adopt a plan of representation and government wholly subversive of the rights of a considerable number of towns. It reaffirmed with emphasis the position previously taken that the only legal bond whereby the towns known as the Grants were ever connected with the former government of New Hampshire was by the Commission granted to the late Governor Wentworth, which was held at the pleasure of the Crown, to enlarge or diminish as the King should determine, and which had become extinct, so "that the people living on said Grants are become unconnected with the former Government of New Hampshire, or any other incorporated state as to any compact of theirs, or any Grant or charter whatever, and are so far reverted to a state of nature." The address however stated that the United Committees were authorized by their constituents to say that they were not only willing but desirous to be united again with New Hampshire in one incorporated body or state, if it could be mutually agreed upon consistent with their just rights and privileges. Three essential preliminaries to such union were laid down:

1. That the inhabitants of every town within the State, including the

Grants, have liberty, if they see cause, to elect at least one person to represent them in the General Assembly of said state. But that every town, where there are less than one hundred families, have liberty of coupling themselves with so many adjoining towns as shall agree thereto for the purpose of sending one representative only.

2. That the seat of Government be fixed as near the centre of the state as may conveniently be.

3. That the further establishing a permanent plan of Government in the State be submitted to an Assembly that shall be convened for that purpose only. *And as we look upon ourselves free from connection with any incorporated state or particular body, if we cannot agree to unite together on the principles above described, or those which are equivalent thereto, we must seek after connection with some other state, or endeavor to obtain relief in some other way.*

A committee was appointed to present this address, which must be considered no other than an ultimatum, to the Assembly. Owing to the excited state of affairs growing out of Burgoyne's campaign—Ticonderoga, Bennington, Saratoga,—the address did not reach the Assembly until November, when it was presented by Col. Elisha Payne and Bezaleel Woodward. The Assembly and Council in joint convention November 8, appointed a committee of five for conference with those gentlemen. The committee was an able one, consisting of John Langdon, Speaker of the Assembly, Josiah Bartlett, Benjamin Giles, Ebenezer Thompson and George King. This committee reported the next day, the 19th, as follows:

That they have met said gentlemen, viz., Col. Paine and Mr. Woodward, and freely conversed with them concerning the several matters set forth in said address, and are of opinion that although they esteem the present form of Government and representation of the people as being far from perfect, yet as the same was only proposed as temporary, and the exigencies of the war having been, and still continuing to be such as to leave no opportunity for the people to enter upon forming a plan of government and representation with that attention and deliberation that matters of so great consequence deserve, the present model will answer for the purposes of our grand concern,—viz., carrying on the war,—and in the mean time for the regulation of the most essential concern of our internal police, without any great injury to any part of the State, But are in full sentiment that as soon as the circumstances of the war will permit, a full, free and equal representation of the people should convene and form a permanent system of government and settle the mode of representation.

This report was adopted by both houses' action which only

served to increase the disaffection of the complaining towns. The report admitted the justice of the complaints and met them only with vague promises of satisfaction at some time in the indefinite future. The Exeter government somehow failed to realize how thoroughly in earnest the people of the towns had become. Meetings of the United Committees followed, and several of the towns held meetings called for the purpose of receiving information as to the action of the Assembly relative to the address which had been presented to it by Col. Payne and Mr. Woodward, and, "to give advice to the committee what further steps to take for redress of the difficulties we labor under." The records of these meetings are scanty, but that a determined spirit was manifested which the Exeter government recognized should be met with something more conciliatory in tone and definite in character than was embodied in its action of November 19, 1777, and finding that none of the disaffected towns were represented in the new legislature which met for its first session on December 17, the Assembly on the 27th passed the following:

That it be recommended to towns, parishes and places in the State, if they see fit to instruct their representatives at the next session, to appoint and call a full and free representation of all the people of this State to meet in convention at such time and place as shall be appointed by the General Assembly, for the sole purpose of framing and laying a permanent plan or system for the future government of this State.

The effect of this vote was such that leaders of the United Committees, early in January, 1778, resorted again to the printing press, and issued another pamphlet signed "Republican," evidently from its general style from the same pen as the College Hall address, that of Col. Payne, or Bezaleel Woodward, perhaps the joint production of both. It was a masterly production, a defence of the independence of the Grants of connection with either New York or New Hampshire, and of their inherent right as independent political units to unite in such form of government as they might choose. It was set forth with marked plausibility that the jurisdiction of New York extended originally on the east no more than twenty miles beyond the Hudson river, and the admitted distinction between the original province of New Hampshire, as circumscribed within the Mason

line, and the Wentworth town grants was made the basis of the claim that the Grants were wholly without the jurisdiction of the Exeter government. Governor Wentworth's Commission of 1741 and the royal decree of 1764, under which New Hampshire and New York respectively claimed jurisdiction were characterized as purely arbitrary acts, which became void when the power behind them became inoperative. These respective jurisdictions ceased with the Declaration of Independence, leaving the people from the Mason line to Lake Champlain in a state of nature as to government, except that they were by their town charters united into little republics, which from the perpetuity of these charters, had survived the separation from Great Britain. These towns were now, it was cleverly maintained, entirely independent of each other, independent of the Exeter government, of New York, of the Continental Congress indeed, and of Great Britain. They were perfectly free to remain thus independent, to form a confederation or government by themselves, or to ally themselves with other political bodies as they might choose.

If you have already pursued all reasonable measures for a Union with some other state to no effect, or your local or other circumstances are such as to render it extremely difficult or impracticable to be united with any state already formed, your indispensable duty is to form yourselves into a distinct State, and that without delay. The common cause in which we are all embarked, your interest, and especially that of the orphan and widow, and your morals suffer by the delay.

To the objection that the Grants were not of sufficient ability to support and maintain a government, it was replied that they were much more able than were any of the United States when they first began their respective governments, and to another objection, that the establishment of Independence should be completed before attempting to erect a new state, it was answered:

The only way to vanquish our inveterate enemy and support our Independence, is first to regulate and settle matters at home; for while things remain in confusion among ourselves one may expect they will be so throughout: Hence arise the difficulty of raising our army, equipping, clothing them, &c.—And further as the United States are all settled and settling their plans of government, for you to be still, or in part to act with them until all things are settled, and then break off and set up a new state would

be imposing upon and dealing deceitfully with them: Besides you will thereby give up your natural right of forming into a state of government and lie at the will of those with whom you have acted whether you shall have the liberty or not. Therefore now is the time either to go forward and act on the affair, or give up all pretensions of ever doing anything about it hereafter.

As to the objection which had been raised that there was no supreme power yet erected by the United States to make and grant jurisdiction to any new state, the non-existence of such supreme power was admitted. The states then in existence had obtained jurisdiction from the Crown, as colonies or provinces, and the Grants came into existence in the same manner by special charter from the Crown, through its representative, the governor, so that each was a separate and distinct colony by itself. The question of what steps should be taken by the Grants east of Connecticut river, it was argued, was simply one of expediency, and the more so in view of the fact that the New Hampshire Assembly had directed the several towns and districts, should they see fit, to instruct their representatives at their next sessions to call a convention for the sole purpose of establishing a permanent plan of government for the State.

It was being urged that it was the indispensable duty of the Grants on the east side of the river to assist in forming this plan in order to have it to their satisfaction, but if unsatisfactory they might seek after other connections. "But," says Republican in closing his appeal, "let me tell you, that whatever town or district undertakes to act in forming a plan of government for the State, when once the plan is formed and settled be it what it will, like it or not like it, they are as effectually bound by it as if they had made it altogether by themselves; for you cannot act in the least without first uniting, and when once united, whatever that body does will be considered your act as much as theirs. Therefore, if you consider yourselves now unconnected, and that it is your duty and interest to seek after connection with them, and still retain liberty in your own hands until such time as you can agree to unite, the only proper way is, to propose such terms as you are willing to unite upon, and, if agreed to, then a union may properly take place; but if not agreed to, then you are at liberty

to act otherwise as you think proper. Therefore every one may know for certain if he once begins to act in this affair, he must abide the consequences, *for having put his hand to the plough he can't look back*. I urge this the more not to dissuade those who think it their duty and interest to seek after connection, but that they may act with their eyes open, and not dabble in those matters, and afterwards complain that they are unjustly dealt with: therefore all such as are willing to join with said State in forming a plan of government, and run the venture of obtaining such an one as may be agreeable, let them join; they have a right to do so. But those that are not, if they intend to keep their hands at liberty, by no means ought to meddle in the least. And as things seem to be ripening fast to a settlement relative to government affairs, whatever ought to be done ought not to be delayed."

This pamphlet, which was widely circulated, led to immediate practical results. A meeting of the United Committees was held at Orford, at the house of Israel Morey, January 28th and 29th. Only the most fragmentary records of this meeting have been preserved, but that it was an important one appears from subsequent events. It is probable from such records as have been preserved that no union with the newly formed State of Vermont was then contemplated by the leaders of the United Committees. Their plan was the formation of a new state of the Grant towns on both sides of the Connecticut, with the capital at Hanover. This is evident from the tone of the pamphlet, signed Republican, issued January 6, though the plan is not explicitly stated. There is evidence also that these leaders were in consultation with the leading spirits in the towns west of the river, especially with those in Gloucester County. When the Orford Convention adjourned, it was to no fixed date, but two days after adjournment, a circular letter was sent out by Bezaleel Woodward, clerk of the Convention, requesting another meeting at Cornish, February 12. In this letter Prof. Woodward stated that overtures had been made relative to a union with the Grants west of the river, and that a consideration of such union was a matter of the utmost importance. The letter was addressed "To the Inhabitants of the New Hampshire Grants East of the Connecticut River," and at the Cornish

meeting no less than twenty towns were represented. There were for prudential reason no representatives in person from towns west of the river, but there is every reason to believe that the plans adopted were in full accord with the prevailing sentiment in, at least, most of the Gloucester County towns. The records of this February meeting have not been preserved, but when the adjournment was taken to meet again at Cornish March 11, there is little doubt that a detailed scheme for uniting the New Hampshire towns outside the Mason Grant with the new State of Vermont had been arranged.

It certainly was no accident that March 11 was designated for the date, and Cornish the place for this adjourned meeting. The first legislature of Vermont was to meet at Windsor just across the river from Cornish March 12, for the formal organization of the new State government. On that day a delegation from the Cornish Convention appeared at Windsor with a proposition that Vermont take into union with her the twenty towns then represented in the United Committees, and such others of the Grants east of the river as might wish to join. This proposition came as a surprise to the Bennington party headed by Ira Allen, Ethan Allen and Governor Chittenden, who were in the ascendancy in the Vermont Assembly, and the proposition was at first negatived. Ira Allen in a letter to the General Assembly of New Hampshire dated November 4, 1778, gives the following account of the proceedings:

Last March after the Governor and Council was declared chosen, and the Assembly formed agreeable to the Constitution of the Sate, there came in a Committee from the East side of the river, said to be chosen by a Convention of Committees whereof Mr. Estabrooks was chairman, and moved in behalf of the New Hampshire Grants East of the river, for a union with the State of Vermont:—in consequence of which a Committee was chosen from both houses to confer with said Committee and make report of their opinion thereon to the House: the Committee after all the debate thereon reported to the House as their opinion not to connect with said Committee in no way or manner whatsoever. The House after mature deliberation voted to accept said report; which gave such dissatisfaction to several members of the Assembly that lived near the Connecticut river, that they declared if them people (meaning those on the East side of the river) were to be entirely excluded from connecting with said state, they would withdraw from the state of Vermont and connect with them people and form a new State. Then after long and tedious debates, the whole was referred to the people

at large and to be brought before the Assembly again at their next session in June. Col. Payne and others of that Committee then publicly declared that they had conversed with a number of the leading members of the Assembly of New Hampshire from the eastern part of the state, who had no objection to their joining with the state of Vermont; but some members in the western part of the state were opposed to it but gave it as their opinions that New Hampshire as a State would make no difficulty about it; this last idea was carried to the people, and under this mistake a majority of the towns in the state voted for the Union, which the Assembly could do no otherwise than confirm, they being previously instructed so by their constituents.

This account by Ira Allen of the formation of the union between the grants on the east side the river with Vermont is substantially accurate, though it must be remembered that Allen had all the time been personally opposed to the union, and that this account is given as a reply to the protest made under date of August 22, 1778 by President Meshech Weare to Governor Chittenden against the action of Vermont, and in extenuation of such action. The "long and tedious debates" mentioned by Allen closed March 17th when the proposals for articles of union submitted by the delegation from the United Committees were ordered by the Vermont Assembly to be submitted to a vote of the Vermont towns. At the same time it was mutually agreed that there should be a like submission to a general convention of all the towns in Grafton and Cheshire to be held in Lebanon on the last Wednesday in May. The proposals were signed by Elisha Payne, Bezaleel Woodward, Abel Stevens, Samuel Chase, Nehemiah Estabrook and Jonathan Chase. The preamble is of decided interest, as indicating the attitude of the New Hampshire towns:

*To the Honorable General Assembly of the State of Vermont, now held at Windsor in and for said State:*

We the subscribers a committee appointed by delegates of the towns of Cornish, Surrey, Lempster, Marlow, Acworth, Plainfield, New Grantham, Lebanon, Enfield, Hanover, Canaan, Cardigan, Lyme, Plymouth, Orford, Piermont, Haverhill, Bath, Lyman and Gunthwaite, (20) all lying and being on the New Hampshire Grants, so called, east of Connecticut River, beg leave to represent that by the Declaration of Independence of the United States, all connections which ever subsisted between the aforesaid Grants and any state were dissolved; whereby it becomes necessary for the inhabitants thereof to subject themselves to some regular form of government, and as

their local and other circumstances render it convenient for them to unite with the State of Vermont, the delegates above mentioned, appointed us to confer with the inhabitants on the New Hampshire Grants west of said river (by convention or otherwise relative to a union with them, etc.).

That besides the towns above named we have confidence from information, that the towns of Croyden, Dresden, Dorchester, Cockermouth, Wentworth, Rumney, Campton, Trecothick, Warren, Landaff, Morristown, (11) and sundry other towns on the said Grants will unite in the measure; and would have united in the appointment of this Committee had they due information and opportunity thereto.

Therefore in order to lay a foundation for such union, we the committee beg leave to propose the following Articles of Union.

These articles were five in number. The 1st was as follows:

That the inhabitants of all the towns on said Grants which lie east of Connecticut river, and west of the western line of the ..... State of New Hampshire, or the Patent line so called, or so many of said towns as shall consent and agree thereto, be united with the State of Vermont as the same is described in the Declaration of Independence, bearing date January 15th, 1777, provided they amount to a considerable number of inhabited towns, and that these two territories be united into one entire and distinct State by the name of Vermont.

The second article consisted of certain additions to and alterations in the constitution of the State of Vermont mostly relating to the judiciary of the State with certain actions made necessary by the union. The third article provided that all costs which had arisen to the Grants on each side the river previous to the union be defrayed by the Grants, on each side separately. The fourth article provided that the union should take place when assented to by the major part of the towns represented in the Vermont Assembly and to be binding only on such towns east of the river as should assent thereto; and the fifth article provided that as soon as the union should take place, "the towns on the Grants east of the Connecticut river which shall agree thereto (provided they shall amount to any considerable number of inhabited towns), shall have right of representation in the General Assembly of said State agreeable to the afore-mentioned constitution."

It was voted by the Vermont House that these articles of union be laid before the Vermont towns for their approval or disapproval. Of the forty-seven towns making returns thirty-five favored the union and twelve opposed. The opposition

came from the Bennington party, and as has been seen from the letter of Ira Allen already quoted, the claim was made that most of the towns voted under a misapprehension that New Hampshire was entirely indifferent to the movement, and that the attitude of the New Hampshire government had been willfully misrepresented by the leaders of the United Committees. Furthermore it was claimed, and justifiably so, that most of the Vermont towns west of the mountains and north of the southern extremity of Lake Champlain had been abandoned, the year previous, by their inhabitants at the time of Burgoyne's advance and were neither represented in the legislature, nor had been able to vote upon the question, and furthermore the vote had not been a direct one by the people, but had been by towns.

There is no record existing of the Convention of delegates from the towns east of the river held at Lebanon the last Wednesday in May, but there is evidence that it was largely attended. The articles of union with Vermont were adopted, and an adjournment was taken to June 24 at Orford, a date which it was believed would be subsequent to the adjournment of the Vermont Assembly, which was to convene at Bennington June 11. On this date the representatives of the towns of Cornish, Lebanon, Dresden, Lyme, Orford, Piermont, Haverhill, Bath, Lyman, Apthorp (Littleton), Enfield, Canaan, Cardigan (Orange), Landaff, Gunthwaite (Lisbon) and Morristown (Franconia) presented themselves at Bennington, and were admitted to the legislature by a vote of thirty-seven to twelve. At the Cornish Convention in March seven Cheshire county towns were represented, but only one of these, Cornish, came into the union in June. The other fifteen were Grafton County towns. The influence of both the Bennington and the Exeter parties was beginning to be felt especially in Cumberland and Cheshire Counties, and was destined to be still more powerful after the consummation of the union.

As was expected the Assembly at Bennington adjourned June 18, previous to which the sixteen towns east of the river were invested with all the powers and privileges of other Vermont towns, and provision was made for the admission of such other towns as might desire it on the same terms. The ad-

journd meeting of the United Committees held at Orford was supposed to be its last, since the chief purpose of the organization had been accomplished, and it proceeded to wind up its affairs before final dissolution. It recommended to the inhabitants of the towns east of Connecticut river who had lately united with Vermont, "strictly to comply with and obey those rules which may come to them from Authority of the State of Vermont, or by desire of any general or field officer on the Continental Establishment, or commanding officer on this river, through the hands of those military officers who were latest commissioned over them by the State of New Hampshire." It recommended that town meetings be held on the first Tuesday in July for the choice of a justice of the peace for each town, and that arrangements be made for admitting to the privilege of Freemen the inhabitants of the newly admitted towns. It also appointed a committee to receive and adjust accounts of claims for services rendered in completing the union with the State of Vermont. It recommended that estates in the probate office of the County of Grafton be proceeded upon in that office in the name and by the authority of the State of Vermont until the next General Assembly of that State.

The chairman of the United Committees, Nehemiah Estabrook, was directed to send the following communication to Meshech Weare, president of the Council of New Hampshire announcing the union of the sixteen towns with Vermont:

The Convention of Committees from the several towns mentioned in the enclosed copies take this opportunity to transmit to you as President of the Council of the State of New Hampshire, a resolve of the Assembly of the State of Vermont relative to a union of said towns, &c., with them, by which you will be advised of the political situation of these united towns and others on the Grants who may comply with said resolve. We hope, notwithstanding an entire separation has now taken place between your state and these towns, that an amicable settlement may be come into at a proper time between the State of New Hampshire and those towns on the Grants that unite with the State of Vermont, relative to all civil and military affairs transacted with the State of New Hampshire since the commencement of the war to the time of said Union so that amity and friendship may subsist and continue between the two states.

The Vermont legislature had adjourned to meet at Windsor, October 8. In the interval between the adjournment

at Bennington and the meeting at Windsor, Hanover which was not represented at the June session and several other of the Grafton County towns, and a few of the Cheshire County towns also had accepted the act of union, and Dartmouth College on petition of the trustees was taken under the protection of Vermont, and President Wheelock was made by that State a justice of the peace. The New Hampshire government at Exeter, however, had no idea of relinquishing its jurisdiction over these seceding towns, nor had the Bennington party acceded to the union in good faith, and both were busy. President Weare, under date of August 19, 1778, wrote Josiah Bartlett and John Wentworth, delegates from New Hampshire in Congress, enclosing the letter of Nehemiah Estabrook above quoted, asking them to use their best efforts to secure the intervention of Congress for the nullification of the act of the sixteen towns in question and "the pretended State of Vermont." He claimed that one-third at least, nearly one-half the people in the defective towns were averse to the proceedings of the majority, and feared that "the affair would end in the shedding of blood." He also charged that Col. Timothy Bedel of Haverhill, who had been an active member of the so-called United Committees, had "received great sums from Congress or their generals under pretence of paying men for service they never did, and by the influence of said money has occasioned a great share of the disorders in those towns." In closing his letter he said: "Unless Congress interferes (whose admonition only will be obeyed) I know not what consequences will follow: very possible the sword will decide it, as the minority in those towns are claiming protection from this State, and they think themselves bound by every tie to afford it."

Three days later he wrote Governor Chittenden of Vermont protesting against the action which had been taken, and characterizing the claim that the sixteen towns had not been connected with any state with respect to their internal policy, as "an idle phantom, a mere chimera without the least shadow of reason for its support." Continuing he wrote: "Were not these towns settled and cultivated under the grant of the Governor of New Hampshire? Are they not within the lines thereof as settled by the King of Great Britain prior to the present

era? Is there any ascertaining the boundaries between any of the United States of America, but by the lines formerly established by the Authority of Great Britain? I am sure there is not. Did not the most of these towns send delegates to the Convention of this State in the year 1775? It is well known they did—and that New Hampshire, at its own expense hath supplied them with arms, ammunition, etc., to a very great amount, as well as paid soldiers for their particular defence,—and all at their request, as members of this State—whence then could this new doctrine, that they were not connected with us, originate? I earnestly desire that this matter may be seriously attended to.”

He called the attention of Governor Chittenden to the difficulties in the way of the admission of Vermont into the confederacy of the United States, and intimated that by connecting Vermont with towns belonging to the State of New Hampshire these difficulties were being largely increased.

On receipt of this letter, Governor Chittenden, who had from the inception of the matter been opposed to the union, convened the Council, and Ethan Allen was designated to go to Philadelphia, ostensibly to ascertain the views entertained by Congress of the proceeding of Vermont, but really, as the sequel indicated, to work for a dissolution of the union which had been formed.

The Exeter government also, depending not alone on the protests of President Weare, issued precepts for the election of members to its third General Assembly, these precepts containing a direction to the people to instruct the Assembly, should they see fit, through the representatives whom they should choose, to call a new Constitutional Convention. This action was not without its influence, and many towns were influenced to await further developments before casting in their lot irrevocably with Vermont, preferring to hold aloof from both New Hampshire and Vermont, recognizing the authority of neither. The result of this was that when the Vermont Assembly met again at Windsor, October 8, only eleven New Hampshire towns, all in Grafton County, were represented, viz., Lebanon, Dresden, Hanover, Canaan, Cardigan (Orange), Orford, Piermont, Haverhill, Gunthwaite (Lisbon) and Landaff.

From these towns, however, came the leading spirits of the College party east of the river, and at the organization of the House everything seemed to promise smooth sailing for the friends of the union. Bezaleel Woodward was elected clerk and was a member of every important committee of that body, the election sermon was delivered by the Rev. Eden Burroughs, pastor of the Eastern Church of Hanover, and Alden Spooner, who had been imported by the College with his printing press from Connecticut was chosen public printer.

On the 10th came the report of Ethan Allen relative to his mission to Philadelphia. He said he had been to Philadelphia to ascertain concerning the political situation of the State of Vermont so far as Congress was concerned, that he had discovered that New Hampshire had emphatically remonstrated against the union of the towns east of the river with Vermont; that New York had made allegations against Vermont opposing to admission as a State into the Confederacy, and that had it not been for his timely arrival, the probability was that the State of Vermont would have been annihilated. He reported that he had secured postponement of action on the part of Congress, until Vermont by action of its General Assembly could be heard in the matter. He did not believe that the claims of New York would be regarded by Congress, as of sufficient force to prevent the establishment of Vermont, but he regarded the attitude of New Hampshire as of a more serious and threatening character. He said: "From what I have seen and heard of the disapprobation, at Congress, of the union with sundry towns, east of Connecticut river, I am sufficiently authorized to offer it as my opinion, that, except this State recede from such union immediately, the whole power of the Confederacy of the United States of America will join to annihilate the State of Vermont, and to vindicate the right of New Hampshire to maintain, inviolate, the articles of confederation, which guarantee to each state their privileges and immunities."

Allen did not in this report make mention of the fact, of which a little later, in a letter to President Weare, he boasted, that while in Philadelphia, he came to a secret understanding with Josiah Bartlett, delegate from New Hampshire to the effect that if the union of the New Hampshire towns should be

dissolved, Bartlett would use his influence to secure for Vermont Congressional recognition. The remonstrance of President Weare addressed to Governor Chittenden the preceding August was introduced coincident with the report of Allen, and the whole subject was discussed for several days in joint committee of the whole, and by a sub-committee consisting of Governor Chittenden, Jonas Fay, Lieut.-Gov. Marsh and Bezaleel Woodward. The matter came to a vote October 20, decidedly in favor of the union and Ethan Allen, Elisha Payne, Jonas Fay, Bezaleel Woodward and Jacob Bayley were made a special committee to prepare and publish a vindication of the action taken.

What the Bennington party were unable to directly accomplish in the way of a dissolution of the union, they seem to have obtained by indirection. The protest of New Hampshire evidently had large influence, and so the very next day after the vote favorable to union when the college party introduced practical measures for erecting the towns east of the river into a county, or annexing them to the existing county of Gloucester, they were defeated, several of the towns in Eastern Vermont voting with the majority. Three questions were proposed:

1st. Whether the counties in this state shall remain as they were established by the Assembly in March last? Yeas, 35. Nays, 26.

2d. Whether the towns east of the river included in the Union with this state, shall be included in the County of Cumberland? Yeas, 28. Nays, 33.

3d. Whether the towns on the East side of Connecticut River, who are included by Union within this state, shall be erected into additional county by themselves? Yeas, 28. Nays, 33.

Naturally these votes were regarded as rescinding the union, inasmuch as they disallowed any and all of the sixteen towns involved any connection either with the already established counties of Vermont, or any county by themselves. The act of union had guaranteed to these towns "the same privileges and immunities enjoyed by the other towns in the State." These votes of October 22 were a plain denial of such rights. The representatives from the New Hampshire towns, twelve in number, also twelve from ten Vermont towns bordering on the river north of Windsor and in the vicinity of Hanover, the Lieutenant-Governor Joseph Marsh, two members of the

Council, Col. Peter Olcott and Thomas Murdock, at once withdrew, and assembling by themselves laid before the legislature their solemn protest against the action taken the day before.

Bezaleel Woodward also resigned his office as clerk of the House. Their action was somewhat precipitate, but it is not unlikely that they believed the Assembly would be left without a quorum by their withdrawal. If, however, they hoped to embarrass the Bennington party they reckoned without their host, if anything may be judged from the tone of the letters written the next day, October 23, by Governor Chittenden and Ethan Allen to President Weare of New Hampshire. The former wrote that the Council and Assembly had "resolved that no additional exercise of jurisdictional authority be had (by this State) east of Connecticut river for the time being; on which resolution the members who appeared to represent those sixteen towns east of the said river, said to be united to this State, have entered their dissent on the minutes of the house and withdrawn: under which circumstances they can have no pretensions to any claim of protection from this State."

Ethan Allen wrote: "In conformity to my engagement to Col. Bartlett, one of the members of Congress from New Hampshire, I am induced to write your honor respecting a number of towns to the eastward of Connecticut river, which inadvertently, by influence of designing men, have lately been brought into union with the State of Vermont:—which in my opinion is now entirely dissolved. I engaged Col. Bartlett to use my influence at this Assembly for that purpose. . . . The union I ever viewed to be incompatible with the right of New Hampshire, and have punctually discharged my obligation to Col. Bartlett for its dissolution: and that worthy gentleman on his part assured me, that he had no directions from the government of New Hampshire, to extend their claims to the westward of Connecticut river, to interfere with the State of Vermont; and I hope that the government of New Hampshire will excuse the imbecility of Vermont in this matter. I apprehend Col. Payne had a principal influence in it and it was with difficulty the Assembly got rid of him. I am appointed by this Assembly to act as agent for the State of Vermont, at Congress, where I shall shortly repair, and defend that New Hampshire will ac-

cede to the independency of Vermont, as the late obstacles are honorably removed."

Ethan Allen was not accustomed to the language of diplomacy, but went straight to the point. If his word is to be trusted there was an understanding between Exeter and Bennington relative to the dissolution of the union of New Hampshire towns with Vermont. Allen has fulfilled his part of the contract, and asks New Hampshire to fulfill hers. There was a jubilant tone to his letter to President Weare.

On the other hand, it is not so certain that the leaders of the College party were greatly aggrieved by the turn in affairs. They left the Assembly immediately, standing not on the order of their going. The protest they filed was signed by twelve members on each side the river, and of the three other signers, Joseph Marsh, lieutenant-governor, and Councilor Peter Olcott were also from Vermont. In their protest they declared that the Assembly had by its votes of the 21st<sup>1</sup> "totally destroyed the Constitution of the State, by Depriving those Towns included in the Union of the Exercise of Jurisdiction, power or privilege granted them; and the Confederation by which the towns in the State are combined and held together as one body; and as no political Body can exercise a partial jurisdiction by virtue of a Confederation or agreement for the people, to exercise Government over the whole; it is therefore either void, or destroys both the Confederation and Constitution. We do therefore publicly declare and make known that we cannot, consistent with our Oaths and Engagements to this State, exercise any office or place either Legislative, Executive or Judicial in this State, but look upon ourselves as being thereby Discharged from any and every former Confederation and Association with this State."

In other words, they declared that there was a total absolution, not only of the New Hampshire towns included in the Union, but of all other towns as well from the bonds of confederation by which they had been held together as one State. The State of Vermont which had been formed by a confederation of towns, through town delegates, as such, had in convention adopted a constitution, which had never been submitted

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<sup>1</sup> N. H. State Papers, Vol. X, p. 286.

to the people for approval or disapproval. In fact, both parties to the controversy, the Allens, Chittendens and Fays on the one hand, as well as the Woodwards, Estabrooks, Paynes and Bayleys on the other, held to the theory that the State was simply a confederation of towns, to which the people first of all owed allegiance, and through which alone they were related to the State. It was in no sense a direct union of the people regardless of their town charters and incorporations.

The State of Vermont had been wiped out of existence. The towns were free to unite as they saw fit, and the leaders of the College party saw their dream of a new state in the Connecticut Valley, embracing the towns east of the Green Mountains, and west of the Masonian patent line, with its seat of Government in the College town of Dresden, or Hanover, give promise of realization. They would give the Vermont Assembly a chance to rescind its action, were it done immediately, but there would be no waiting policy on their part. The seceding representatives from the ten towns of Hartford, Sharon, Corinth, Morestown, Fairlee, Royalton, Norwich, Barnet, Wilmington and Strafford, all in Gloucester County, except Hartford and Wilmington, and the nine Grafton County towns of Cardigan, Enfield, Canaan, Dresden, Hanover, Lebanon, Haverhill, Gunthwaite and Orford, immediately organized with Lieutenant-Governor Marsh as chairman and Bezaleel Woodward as clerk. They voted to call a convention of the towns in the valley to meet at Corinth, December 9, 1778, and also drew up an address to Congress, protesting against any recognition of Vermont under conditions then existing, which address they sent by the hand of Col. John Wheelock, son of President Eleazer Wheelock, with instruction to give such other information to Congress as might seem expedient or desirable. This address was written by Lieutenant-Governor Marsh and briefly recited the events leading up to the withdrawal of the members of the Assembly, the Council and himself, from the Vermont State government, and protested against any action which would, by an acknowledgment by Congress, form a new State containing only that part of the Grants which lies west of the Connecticut river. Much dependence was placed on the influence of Col. Wheelock with members of Congress on account of his engaging manners and attractive personality.

The withdrawals left the Assembly without a quorum, the thirty-seven members remaining not furnishing the necessary two-thirds, and nothing was further attempted in the way of legislation. Ira Allen was sent to Exeter as an agent in behalf of the State, and Ethan Allen to Philadelphia, and after an appeal to the towns for instructions, and for the election of members in place of those who had withdrawn, an adjournment was taken to meet at Bennington, February 12, 1779, at which time it was found that the Bennington party was in undisputed supremacy.

As has been noted, the Assembly at Windsor had on the 20th of October appointed a committee of five members to prepare and publish a defense of the rights of the Grants on both sides the river to unite under one government. Three of the committee, a majority, Professor Woodward of Dresden, Col. Payne of Cardigan, and General Bayley of Newbury, as their appointment had not been rescinded, assumed the duty of preparing and publishing such a defense, although they had withdrawn from the body which appointed them. This "Public Defense of the right of the New Hampshire Grants, so-called on both sides Connecticut river, to associate together and form themselves into an independent State," must be considered a remarkable document, and its publication December 1, 1778, eight days before the meeting of the convention of the valley towns at Cornish was well timed. It was probably from the pen of Professor Woodward, and is the most elaborate exposition of the controversy up to that time, which had been published. It was an answer to the letters of the Allens, and Governor Chittenden, and to a pamphlet which had been circulated during the summer, signed "Pacificus," supposedly written by Col. Timothy Walker of Concord, and intended to counteract the influence of a pamphlet previously issued by the College party and signed "Republican." This "Pacificus" pamphlet was a really able and well considered statement of the position of the Exeter government relative to its jurisdiction over the Grants east of the river. It was weakened, however, by its unwarranted personal attacks on the leaders of the College party. Professor Woodward and Col. Payne may possibly have possessed that decidedly human attribute of selfishness,

but "Pacifcus" added little to the force and influence of his pamphlet by calling them "ignorant" and "malignant." Personal attacks on character and motives are not argument, and if proof were needed of the logical and unanswerable reasoning of "Republican" it is found in statements made by "Pacifcus" like the following: "The disappointments of a small junta of aspiring, avaricious men, in their endeavors to raise themselves and their connections to a degree of importance in the State, far, very far, beyond what their numbers or estate give them any pretense to, is the source of all this feud." President Weare and Ethan Allen did not hesitate to impugn motives, and indulge in aspersions on character even more direct and forcible.

The "Public Defense" quotes in full the letters of President Weare to the New Hampshire delegation in Congress and to Governor Chittenden, the letter of Ethan Allen to President Weare, and the report of Allen relative to his visit to Philadelphia, which he made to the Assembly October 10, and the claims made in these are answered in detail. The vote of the Assembly of October 20, under the terms of which a committee of five was appointed to draw up a defense, and under which the majority of the committee were then acting is also given in full, this vote being the result of a consideration of the letters of President Weare and the letter and report of Ethan Allen.

The Assembly had voted:

1. That a declaration be drawn up, setting forth the political state of the Grants on both sides of Connecticut River, from the time of their being granted—viz., that the Grants were taken as being under the jurisdiction of the government of New Hampshire; where the grantees expected to have remained—that the King of Great Britain under the influence of a false and ex-parte representation passed a decree in Council, A. D., 1764, that part of the Grants should be under control of the Government of New York—that said decree was in its nature void from the beginning, on account of the undue influence under which it was obtained; and that the whole of said Grants were consequently of right, under the same jurisdiction as before said decree took place—but the Governor of New Hampshire not exercising jurisdiction over those west of the river, they remained *part* under the jurisdiction of the government of New York, but *the greater part* in opposition thereto, till near the time of the Declaration of Independence by the United States, by which the whole of the Grants became unconnected with any state; and had an opportunity to assert and enter on measures to support their just rights, and were at liberty to unite together or into any other state

which might agree to receive them—in this situation the inhabitants of the Grants west of the river (already determined by the cruel treatment they received from New York not to be under the control of that state) entered on measures for establishing a government among themselves; and a considerable number of towns on the east of the river, after various ineffectual attempts to unite with New Hampshire on such principles as they esteemed just and equitable, united with the Grants west of the river on the plan of government which they had adopted; and with them have solemnly covenanted to support each other in such government—and as by their situation and agreement in manners, habits, &c., they consider they are called upon and warranted to set up and maintain civil government in a distinct state; and as these Grants ought not to be divided between New York and New Hampshire, or any other way, merely to serve interested views; they are unanimously determined in every prudent and lawful way, to maintain and support entire, the state as it now stands.

2. That proposals be made to New Hampshire; that these towns only, which lie west of the Mason claim, and which shall accede to union with this state, agreeable to a resolve of Assembly at their sessions at Bennington the 11th day of June last, be admitted to a union with this state—and in case New Hampshire shall not agree thereto, or to some line that shall be agreed upon as an equivalent, that they agree to a submission of all matters of complaint and dispute in the premises, to Congress for decision; the Grants being allowed equal privileges as the state of New Hampshire in supporting their cause—or that they submit the matter to any court, that may be agreed on, and constituted by the parties, for a decision; saving to themselves in the trial, all the right, privilege and advantage which they may or might have, by any former grant, jurisdiction, power or privilege, on account of any former situation or connection with any province or state heretofore had; and notwithstanding any subsequent transactions.

The “Public Defense” makes first of all the clearest and sharpest distinction between the charter governments of Massachusetts and Connecticut, and the royal commission government which had been exercised in New Hampshire, since it was on this distinction that the claims of the Grants rested. President Weare had asserted that the seceding towns could no more claim that they were unconnected with any State than could Hartford claim to be unconnected with Connecticut or Boston with Massachusetts. In replying to this the authors of the Defense state pretty nearly their whole case. They say:

“It is surprising that men who pretend to be wise politicians by being educated under an arbitrary government, are so grossly ignorant of the distinction there is between charter rights and the exercise of despotic power. Do they not know that every individual inhabitant, and consequently every

town in the State of Connecticut, by charter, make up the Governor and Company of that state; and that, by the same grant or Charter they hold all their landed property, as much as any body of proprietors of a township or tract of land? And by the same Charter they were made a Body Politic in name and fact. And in holding the Charter sound, they hold themselves indissolubly connected together, which bond of Union must remain so long as the state exists. There never has been, nor does there need to be, any alteration of the mode of government in that state to comport with a state of independence, except the transposition of the name in which the executive power is exercised from the King to the people. In the same way and manner are the people of Massachusetts held together and united by Grants and Charters from the King, comprising both landed property and jurisdiction; which the King could not constitutionally alter, and which the people still hold sacred! and therefore hold themselves connected together as much as Connecticut. Now wherein does New Hampshire compare with these two states? *New Hampshire, as such, never owned an inch of land or farthing of property*; neither could they even grant so much as a town corporation; nor had they right to a voice in the matter. *In short they never were a body Politic in any legal sense whatever*, and nothing more than a number of people subjected to the obedience of the King's servant in such way and manner as the Commission prescribed; very similar to the old feudatory system in England. \* \* \* When the King's authority was thrown off and rejected by the Declaration of Independence of the United States, the royal commission became a mere nullity, and was to the people as though it had never been, for it contained nothing more than a command from the magistrate therein named to govern, and a requisition or command to the people to obey. Nothing was contained in it reciprocal between the King and the people. Nothing that the people could claim as a grant or benefit, not even so much as the continuance of the commission itself; but it rested wholly at the pleasure of the crown. Now as the commission altogether ascertained the extent as well as the power of jurisdiction, *when the commission was once removed out of the way, there were no more any limits of jurisdiction left than there was power of expressing it*. Consequently there never having been any confederacy of the people, either by themselves or by any grant or charter from the crown or otherwise, whereby they were ever incorporated and united into a political body, whenever that compulsive power (which alone held them together) ceased, they *became unconnected*; and so will remain until by their own act they unite and confederate together, as much as the thirteen United States were before they united into a confederacy. Nay the people never were at liberty to unite together or not to unite until that despotic power which alone held them together was thrown off, *which was done by the declaration of independence*. \* \* \* When the coercive power of the King was rejected and ceased to operate, *the people made a stand at the first legal stage, viz., their town incorporations*, which they received from the King as little grants or charters of privileges by which they were united in little incorporated bodies with certain powers and privileges

*which were not held at the pleasure of the King (as those commissions were) but were perpetual.* These the people by universal consent held sacred; and so long as they hold these grants, so long do they hold themselves subjects of government according to them; and as such must and do they act, and transact all their political affairs. Hence it is that *the major part of one of these towns have a right to control the minor part,* Those are all the grants the people ever had from the King whereby they became united together and could hold against the King, &c., Consequently they will remain so many distinct corporations until they agree to unite in one aggregate body. \* \* \* Moreover, so long as men have a regard to the safety of their persons and families, their liberties and properties, they will naturally associate and confederate together, so far as will best secure themselves; which is the whole design of government. And the same principle that influenced them to hold sacred those town incorporations, will prompt them to unite still further. Necessity and interest are so influential in this matter that there is not the least danger. The only difficulty ever arising in this case is the manner and form of uniting and mode of government."

There could be no mistaking the attitude of the College party on this Defense. That the Grants had taken part in the formation of the Exeter government was admitted, but it was claimed in offset to this participation, that the Exeter government had been entered upon only as a temporary makeshift before the separation from Great Britain, and that it could in no sense be regarded as a permanent bond when the authority of the Crown ceased. In the matter of expediency, the Defense dwelt upon the local situation of the people on the two sides of the river, their intimate intercourse with each other, their common habits and customs, in both political and religious matters, in all of which there was a radical difference from the people of the Mason Grant. There was no indulgence in personal attacks on leaders of either the Exeter or Bennington party, unless the arraignment of Ethan Allen for bargaining away the interest of the east side towns for the support of the Exeter government against the claims of New York in Congress might be so considered. But the characterizing of such conduct or bargaining as being "derogatory to the honor and integrity of Congress," and "as savoring too much of intrigue and bribery," was dignified as compared with the personal invective employed by the other side. President Weare in writing at this time to Governor Chittenden speaks of the scheme of a new state in the Connecticut Valley as the blind design of some uneasy and

never-to-be-contented persons whose views must certainly be more detrimental to you than they possibly can be to New Hampshire." Ira Allen wrote of them as "a few restless, uneasy men not having the good of either of the States at heart, but their own private interest and immolliment"; while Ethan his brother was more explicit in declaring that "the heads of the schism at large are a petulent, pettifogging, scribbling sort of gentry, that will keep any government in hot water till they are thoroughly brought under by the exertions of authority."

Twenty-two towns were represented in the convention which met at Cornish, December 9, fourteen on the east side the river and eight on the west. The number of towns was not as large as had been expected and were not contiguous in territory, but they were the most populous and influential in the two counties of Grafton and Gloucester, and it was felt they could be depended upon to secure the assent of their less popular neighbors to any plan which might be agreed upon. The convention organized with Lieut.-Governor Marsh as chairman and Professor Woodward as clerk.

It was voted unanimously that the members of the Convention will unite together "for the purpose of pursuing such legal and regular measures as may have a tendency to secure to these Grants the benefits of good government, without any regard to the distinction made by the arbitrary line drawn on the western bank of Connecticut river by the King in Council in the year 1764." The Public Defense was repeatedly read and unanimously approved.

No Journal of the proceedings of the Convention has been preserved but a series of resolves adopted by it is in the possession of the New Hampshire Historical Society. These provided first, for agreeing upon and settling a dividing line between New Hampshire and the Grants; secondly, that the whole dispute with New Hampshire be submitted to the decision of Congress, provided the Grants be allowed equal privileges with other parties in espousing and conducting their cause; thirdly, that the Vermont towns not represented in the Convention be requested to join proposals for the settlement of the boundary line at or near the Mason line, and in case of their neglect or refusal to thus join, then efforts should be made to induce New Hampshire to claim jurisdiction over all the Grants, pro-

vided that state will adopt a plan of government satisfactory to the people of the Grants. Lastly it was unanimously declared that until one or the other of their proposals be accepted the "United Towns," as they now styled themselves, would trust in Providence to aid them in their efforts to defend their rights. Before adjournment, a standing committee was appointed, with large powers which immediately established permanent headquarters at Dresden, and entered into an active campaign of visitation and correspondence. This committee consisting of Joseph Marsh of Hartford, chairman, Bezaleel Woodward of Dresden, clerk, Israel Morey of Orford, Jonathan Child of Lyme, Elisha Payne of Cardigan, Peter Olcott of Norwich and Jacob Bayley of Newbury was an exceptionally able one. The committee were empowered to call a convention of the Grant towns whenever in their opinion it might be necessary.

The action of this convention was by no means regarded with indifference either at Bennington or Exeter. Ira Allen, who in a letter to President Weare under date of December 12, 1778, said he "providentially happened at the Convention," declared that the leading spirits had the design "to break up this State (Vermont) and connect the whole to New Hampshire for the sole purpose of bringing the Seat of government on Connecticut river at or near the College and to establish a plan of government similar to Vermont." Allen was probably not so far wrong as to the purpose of the College party, and his assurance that the union of the New Hampshire towns with Vermont would be formally and officially dissolved at the next session of the Vermont legislature was well grounded. At the same time he warned President Weare that any attempt on the part of New Hampshire to extend her jurisdiction west of the river would be resisted by Vermont to the extent of her resources. He also published an address to the people of Vermont urging them to adhere to the government they had organized, and to confine its jurisdiction within the limits originally contemplated. Lake Champlain on the west and Connecticut river on the east.

Lieutenant-Governor Marsh and his committee exerted themselves to induce those Vermont towns which were still legal to the Windsor Constitution to instruct the Vermont legislature at its next session in Bennington in February, 1779,

to perfect a union with the New Hampshire towns, but the Bennington leaders were active, and when the legislature met February 11, such instructions as the towns had given were found to be directly opposite those asked for by Governor Marsh, and on the second day of the session February 12, it was voted without opposition that the sixteen east side towns "are of right included within the jurisdiction of New Hampshire" and that the union of these towns with Vermont "be and is hereby dissolved, and made totally void, null and extinct."

The next step taken by the Committee of the "United Towns" was to urge New Hampshire to claim jurisdiction over the whole of the Grants ignoring the royal decree of 1764, in other words to assert jurisdiction over the entire State of Vermont. Consistency does not always count in controversies, and in urging New Hampshire to make this claim the College party seemingly forgot that it had all along emphatically denied that New Hampshire had any rightful jurisdiction westward of the Mason line from the date of the Declaration of American Independence. General Jacob Bayley of Newbury and Davenport Phelps of Orford were named as the committee to make the proposals to the Exeter government. Their petition was presented March 17. It set forth that the inhabitants of the Grants since the Declaration of Independence, viewed themselves at liberty to connect in one body politic, or unite with any other state, and that they are now in general desirous of a union with the State of New Hampshire. The petition in closing said, "We being duly authorized for that purpose, do now propose to this honorable court, that the whole of said Grants be connected and confederated with the State of New Hampshire, receiving and enjoying equal privileges and immunities with the good people of said State." Nothing was said in this petition concerning the terms on which the Grant towns would be willing to unite with the New Hampshire government towns which had been previously emphatically stated and set forth, and subsequent events proved that the statement that "the people generally on the Grants were desirous of a reunion with New Hampshire" was made without any adequate knowledge of the situation, since when this question was submitted to the towns west of the river for a vote, little interest was shown in the matter and the returns were scanty and unsatisfactory.

When the Bayley-Phelp's petition was presented, Ira Allen was at Exeter, whither he had been despatched by the Bennington leaders, ready to counteract, so far as possible any influence which might be exerted by Bayley and Phelps. The New Hampshire Assembly proceeded cautiously. The petition was referred to a committee of which Josiah Bartlett, who had held previous negotiation with Ethan Allen, was chairman, which reported April 2 in favor of exercising jurisdiction as far as the western bank of Connecticut river, "and no further until the dispute is settled by Congress." This report amounted to nothing, as was doubtless intended by its chairman, and its consideration was referred to the next session of the Assembly to be held in June. The next day, April 3, an attempt was made to conciliate some of the leaders of the Dresden party by naming Elisha Payne as Chief Justice of the Court of Common Pleas for Grafton County, and Bezaleel Woodward associate, and justice of the peace and quorum, but they did not accept, and the courts were not opened. The United Towns' Committee, at the suggestion of the New Hampshire Assembly in April, sent a circular letter to each of the Vermont towns requesting a formal vote by these towns on the proposition of union with New Hampshire, with the number of votes in each town, and the whole number voting. Returns were received in the affirmative from Newbury, Hartford, Peacham and perhaps two or three other towns, but there was a general failure to make return. This failure was charged by the committee as due to the interception and destruction of great numbers of the circular letter by emissaries of the Bennington party, and though this charge was strenuously denied, there were evidences of its substantial truth.

On the third of June the standing committee of the United Towns met at Dresden and designated two of their number, Professor Woodward and Col. Olcott, to wait upon the New Hampshire Assembly and urge that body to claim jurisdiction over all the Grants on both sides of the river. They found Ira Allen also present at Exeter and a hearing was given both parties, the result of which was a vote by the Assembly June 24 that New Hampshire should claim jurisdiction over the whole of the Grants with this proviso, "that if the Honorable

Continental Congress shall allow the said Grants west of Connecticut river to be a separate state, as now claimed by some of the inhabitants thereof, by the name of Vermont, that in such case New Hampshire will acquiesce therein." As this was a measure only as against New York, leaving Vermont free to win her independence, if the consent of Congress could be secured and other difficulties removed, it was the kind of a victory for the College party which was eminently satisfactory to Governor Chittenden, the Allens and other leaders of the Bennington party.

New York was not without its friends in Cumberland County, and these gathered in convention at Brattleboro early in May, 1779, and petitioned the governor of New York to take immediate and effectual steps to establish the authority of that State over that section. This Brattleboro convention doubtless hastened action which had been contemplated by Congress for some time, because of various appeals and representations by various parties, and June 1, 1779 Congress passed the following resolve: "that a committee be appointed to repair to the inhabitants of a certain district known by the name of New Hampshire Grants, and inquire into the reasons why they refuse to continue citizens of the respective States which heretofore exercised jurisdiction over the same district. For that as Congress are in duty bound on the one hand to preserve inviolate the rights of the several States, or on the other they will always be careful to provide that the justice due to the states does not interfere with the justice which may be due to individuals.

"Resolved that the said committee confer with the said inhabitants, and that they take every prudent measure to promote an amicable settlement of all differences and prevent divisions and animosities so prejudicial to the interests of the United States."

The committee named consisted of Representatives Edwards of Massachusetts Bay, Ellsworth and Post of Connecticut, Witherspoon of New Jersey and Attlee of Pennsylvania, any three of whom were empowered to act, and they were ordered to report specially and with all convenient speed, the further consideration of the subject being postponed until they

had made their report. Only two of the committee, the two last named came to the Grants. After spending a few days in Bennington and without giving any hearing to any of the parties, they returned to Philadelphia and made an informal inconsequential report July 13. Such representations as they did make were understood as in favor of the claims of New York.

A Convention of the United Towns had been called by Chairman Marsh of the Standing Committee to meet at Dresden July 20, for the purpose of preparing a statement to lay before the Congressional Committee, but before that date two members of the latter committee had been in Bennington and returned again to Philadelphia. The convention, however, met according to call, appointed Col. Olcott and Professor Woodward agents to attend upon the Continental Congress and adjourned till July 27 to meet at Lebanon. At the Lebanon meeting nineteen towns were represented, and a memorial to Congress which had been prepared in the interval between the two meetings by the Standing Committee was adopted and immediately transmitted by the hand of Col. Olcott to the Congressional Committee at Philadelphia. This memorial was accompanied by a copy of the Public Defense, the pamphlet signed "Republican" and the so called College Hall Address. There were also complaints from the towns of Barnet, Newbury, Fairlee, Royalton, Hartford, Sharon and Norwich of the course pursued by the Vermont Assembly relative to land grants and other matters. While these were properly delivered to the Congressional Committee, and possibly were presented to Congress, they received so scant attention that when a few months later, the documents were wanted they could not be found, having never been placed on file, or if filed had been purloined.

The committee of five which had failed to perform its duties, was discharged and September 24, 1779, Congress requested New Hampshire, New York and Massachusetts, which had come into the affair by claiming rights in the Grants, to confer upon it authority to hear and determine the entire controversy, and invited all parties together with the people on the Grants to send representatives to Philadelphia, February 1, 1780, when a hearing was not only promised but the faith of Congress was

pledged to make a final determination, and to enforce its decision with all the power of the Confederation.

The Dresden leaders had now come to the conclusion that no arrangement which could be depended upon could be made with either Bennington or Exeter and were ready to enter into an agreement with New York to fix the boundary at the Green Mountains, and thus realize, despite what New Hampshire might do, their ambition of securing a separate state in the Connecticut Valley, and New York for a time at least seemed disposed to agree. Jay wrote to Clinton in October that he favored this plan, and in November Gen. Moses Hazen, then at Peekskill, wrote Col. Timothy Bedel, that the general opinion was to the effect that a division of the Grants with the Green Mountains as the line of division was more than probable.

New Hampshire, New York and Massachusetts gave Congress the authority to determine the matters in dispute, and their accredited agents appeared in Philadelphia February 1, 1780. The United Towns were also represented by Col. Olcott and Professor Woodward with the tacit understanding if not explicit instructions from a Convention held at Dresden the previous December, that they use their influence in favor of the establishment of a separate state in the valley, and if that could not be obtained that New Hampshire exercise jurisdiction over the entire Grants. Vermont, however, declined to have anything to do with the matter and refused to send agents to Philadelphia, taking the ground that she was independent of all three claimants, who were seeking her destruction, by dividing her among themselves, and also independent of Congress and the confederation. Messrs. Olcott and Woodward saw in this refusal of Vermont an advantage for the College party of which they were not slow to avail themselves. They bore credentials, signed by Chairman Marsh of "the Committee of United Towns," and claimed to represent the most of the towns in the northern district of the New Hampshire Grants on both sides the Connecticut river. Congress did not grant them full recognition, but permitted them to present their written protest against any division of the Grants with the river as dividing line.

Congress found itself unable to act, a sufficient number

of disinterested states not being represented, and determination was postponed until a constitutional quorum of states should be represented. It however ordered, June 2, that *status quo* be maintained until settlement was made, and it especially enjoined Vermont to attempt no exercise of authority over towns which did not acknowledge her jurisdiction. It also forbade her to make grants of new townships. Vermont, however, had entered on a course of independence and paid no attention to the injunctions and commands of Congress.

The Committee of the United Towns on the 20th of July addressed a letter to Congress complaining that Vermont by its granting of land grants was engaged in a systematic course of bribery in order to enlist the sympathy and aid of prominent men in New Hampshire. They wrote concerning the action of Vermont: "They have ever since their sessions in March been assiduous to obtain surveys of the ungranted lands and have now sundry parties of men out for that purpose, who instead of resting matters, are hastened on account of the late resolves of Congress, with a view to obtain surveys of the whole before their sessions in October next, and we understand are determined to make grants of the whole to such persons as they shall apprehend will be most useful to assist in the establishment of a new state, and thereby at one stroke prevent an occasion for any further prohibition of Congress, purchase advocates in adjacent states and procure supplies of money to accomplish their purpose. \* \* \* Vast numbers are continually making application for lands, and become advocates for their establishment in order to obtain them. \* \* \* In short no measures are omitted which may tend to weaken the authority of Congress in the minds of the people, and destroy the salutary influence of their late resolves, which they say were passed only to quiet New York till they can establish their state. New Hampshire continues to call on these towns east of the river (who have connected themselves with those west) for men, money and provisions, but there is no authority to which they can consistently own allegiance till Congress decide the dispute. \* \* \* The people in these parts mean to abide by, the decision of Congress, and abhor the sentiments of those who deny their right.—They will cheerfully acquiesce in anything Con-

gress may judge proper, but ardently wish a union of the two sides of the river. New Hampshire will be their choice, if a new state be not admitted which they have generally done expecting."

The College party, however, were fearful that the claim of New Hampshire to the Grants would not be earnestly pushed when Congress should take the matter up. This is apparent from a letter written under date of July 25 by Professor Woodward to Samuel Livermore who with General Sullivan had been designated to represent New Hampshire in the matter. The condition of affairs in the Gloucester and Grafton County towns, repudiating as they did the authority of Vermont and New Hampshire respectively, and their confederation, was, at its best, existing only for the special purpose of securing in some way a statehood which should give them recognition as towns, and prevent a division at the river, was one of constant alarm and uncertainty, which was increased by the discovery that certain of the Bennington leaders were in secret correspondence with the British in Quebec with a view of uniting Vermont with the king's dominions in Canada. The so-called "Haldimand Correspondence" which was carried on from 1779 to 1783 certainly warranted suspicion that the Bennington leaders, growing desperate over the delay in securing recognition of Vermont at the hands of Congress were favorably considering an open alliance with Great Britain, and the College party did not hesitate to openly charge that Ethan Allen was at the head of a plot to detach Vermont from the American cause.

The attitude of the United Towns Committee presented a striking contrast to this. For months they had been planning an invasion of Canada, collecting at their own expense supplies and material for such invasion, securing the enlistment of a considerable body of troops under command of Col. Bedel, and persistently urging the importance of such an expedition, on the New Hampshire and Massachusetts authorities, and also upon Congress and General Washington. In promotion of this scheme another convention of the United Towns assembled at Dresden August 30. Professor Woodward, as clerk, and by order of the convention, wrote the President of Congress: "Col.

Olcott is again appointed agent in behalf of the people on both sides Connecticut river from Charlestown upward, in the dispute betwixt the claiming states and the New Hampshire Grants.—We entreat that a determination of the question, ‘Whether a new state shall be allowed on the Grants’ may be deferred no longer, as every confusion is taking place among the people and will continue while that point is unsettled, of which he can give particular information, and to whom we beg leave to refer Congress. \* \* \* There is no one point in which the people can agree so well as in an union with New Hampshire in case the whole on both sides the river shall not be permitted to unite in a new state which the body of the people have now done expecting. \* \* \* Great numbers think they have an undoubted right to demand a union with New Hampshire by virtue of the compact made with them by the king in the Grants he made of the lands by the Governor of New Hampshire. It has been suggested that the people will take arms and claim the protection of Canada under the Quebec bill in opposition to any resolve Congress may pass against a new state, which we can assure them is without foundation in respect to the body of the people, who are waiting with earnest expectation the decision of Congress on the subject, and mean to conform their conduct to it—there are very few but what will readily acquiesce—none of any consequence on this side the Green Mountains, and few on the other, however some of their leaders may desire to raise a tumult in opposition to them.”

Professor Woodward also urged that Congress order within a month an expedition into Canada, detailing at length the practicability of such an expedition and the success almost certain to attend it. “A good commander with few Continental troops in addition to such volunteers as may be raised for such purpose on these Grants and in the New England States, with a suitable quantity of arms and ammunition to furnish those Canadians who are now eager for such an expedition, and will at once join us on arrival of an army there, will easily take possession of and keep the district of Montreal, and that being secured, the country above, even to and beyond the western Lakes must soon submit to the United States. Your petitioners are confident that fifteen hundred men from these Grants will

turn out (if called for) to assist in taking possession of that country. They can and will cheerfully furnish five hundred horses, one hundred teams and ten thousand bushels of wheat, and more if necessary, also such other grain as may be wanted, on the credit of the Continent, from the district of country between the heights of the two sides of Connecticut river and north of the Massachusetts Bay, the inhabitants of which, (more than five thousand families) are now chiefly obliged to hold the sword in one hand and tools of husbandry in the other, and probably must continue so to do till that country is reduced, unless we have a large Continental force continually supported here to defend us from their ravages, as our frontier is very extensive." It does not anywhere appear that Congress ever considered this matter of a Canadian expedition, though the authors of the scheme continued for some time to agitate its desirability. The 30th of August Convention at Dresden was more largely attended than those which had preceded it, the Cumberland and Cheshire county towns, north of Charlestown, sending delegates, having been spurred to this action by the suspicious transactions taking place west of the mountains.

The long promised hearing by Congress from which so much was expected, at least by the United Towns began September 19, 1780. At the opening of the hearing Ira Allen and Stephen R. Bradley appeared for Vermont, but finding little encouragement for their claims, discovered that their authority had expired, that they lacked important documents, demanded an adjournment, entered a protest against the proceedings, and withdrew without taking part. Col. Olcott represented the United Towns or College party, and he was sustained by one Luke Knowlton, who had been sent by a convention of Cumberland County towns held at Brattleboro August 20, in the interest of New York which was now in favor of making the Green Mountains the line of division. New Hampshire representatives laid claim to the entire Grants. There was however a strong suspicion that the New Hampshire delegates in Congress were not entirely loyal to their instructions. General Peabody was well known to be opposed to New Hampshire jurisdiction beyond the Connecticut, and according to Ethan Allen, Josiah Bartlett had entered into an agreement with him

to oppose such jurisdiction. Gen. Sullivan had written President Weare three days before the hearing opened that because of the assurance of Col. Olcott that the general sentiment of the Grants was in favor of a union with New Hampshire, he would be less violent in his opposition to that proposition than he had previously been, but at the same time he did not desire a decision which would extinguish Vermont. Of the New Hampshire representatives at Philadelphia, Woodbury Langdon was undoubtedly alone in advocating without reservation the extension of the jurisdiction of that state over the entire Grants. The hearing lasted three days when the whole matter, to the sore disappointment of Col. Olcott and those whom he represented, was indefinitely postponed. The reason assigned for postponement was the withdrawal of the Vermont representatives after their defiant protest, but the real attitude of the New Hampshire delegation in Congress had doubtless much to do with the failure of Congress to take action.

Dissatisfaction with the outcome was violently manifested almost immediately in the river towns, and the storm of indignation which arose led to the formation of new combinations. At a meeting of the people of Cumberland County, heretofore partisans of New York, held at Brattleboro October 31, a meeting promoted by Knowlton on his return from Philadelphia, delegates were appointed to meet such persons as should be authorized for the purpose "by a convention of committees of Gloucester County on the west and Grafton County on the east side of Connecticut river, to devise and carry into execution such measures as they shall deem best calculated to unite in one political body all the inhabitants from Mason's Grant on the east to the height of land on the west of said river." This was a revival of the "New Connecticut" scheme which had been proposed by the College Hall Convention of 1776. It is more than probable that this proposal was suggested by the United Towns Committee, since there is no evidence that it originated with the Brattleboro meeting. The convention proposed was held at Charlestown November 8, with delegates present from Grafton, Gloucester and Cumberland counties, and while little record of the meeting exists, measures were adopted to ascertain more fully the sentiments of the people preparatory to action. With

the exception of Charlestown, Cheshire County towns were not represented at this meeting. It does not appear that they had been invited to participate, perhaps for the reason that they were for the most part represented in the Assembly at Exeter, and had not been ignored, as had Grafton, in the distribution of favors by that body. It was soon discovered, however, that, if possible, they were more exasperated by the inconsistent, not to say hypocritical, course of New Hampshire, than were the Grafton County towns. The Cheshire towns, under the lead of Gen. Bellows of Walpole, held a meeting in that town November 15, at which a committee was appointed to confer with like committees from other counties, and at which it was determined "that matters lately agitated with respect to the jurisdiction of the New Hampshire Grants render a union of the territory indispensably necessary."

This Walpole Committee of which Gen. Benjamin Bellows was chairman sent out a printed circular letter to the several towns on the Grants on both sides the river asking them to appoint one or more delegates to a general convention to be held at Charlestown, Jan. 16, 1781. The committee set forth, the purpose of the convention as follows: "The situation of the territory, by reason of there being a frontier, as well as many other matters, which are obvious respecting commerce and transactions of a public nature, make it expedient that they be united in all their interests, in order to make their efforts, in that quarter, against the common enemy, more vigorous and efficacious. In respect to government, great disadvantages may arise by a division. In that case delinquents may easily evade the operations of justice, by passing from one state to another, and thereby be induced more readily to practice iniquity on that part where the body of inhabitants and the principal traffic center. And we imagine that a union of public interest is the only means by which the contentions and animosities, now subsisting among the inhabitants of the territory, can be brought to a happy issue: for, so long as the course of justice is in different channels. where people are so nearly allied, disturbances will arise. From authentic information, we cannot but apprehend, that the State of New Hampshire is greatly amiss, if not grossly negligent (to call it by no harsher name) in trusting affairs of

such great importance as the settlement of their western boundary, to a committee, some of whom, we conceive would wish the loss of half the state, rather than New Hampshire should extend their claim west of the Connecticut river. And from the best authority that can be obtained, it appears that the agent of the state aforesaid, is endeavoring to confirm a division of the Grants, contrary to their true interests; which has given the people on the Grants just occasion to rouse and exert themselves in support of an union of the whole."

New Hampshire seemed to realize that the situation was a critical one, and just before the convention met at Charlestown appointed Gen. Bellows and Samuel Livermore delegates to Congress with instructions to move for a speedy decision of the question "Whether the Grants shall be allowed to be a separate state or not." While these instructions were not so explicit as might be desired, the character and well known views of the delegates indicated that the Assembly was at last really in earnest to prosecute the claim to the whole of the Grants to a conclusion. It also assented to a plan for a new constitutional convention to be held at Concord in June on the basis of representation which had from the beginning been contended for by the College party, viz., to allow one member to every town, parish and district having fifty families and under, and an additional member for every fifty families in excess of that number, and precepts were to issue to the Grants on the west side the river as well as to those on the east side.

When the convention met January 16, 1781, forty-three towns, were represented, about equally divided between the two sides of the river. There were no delegates from west of the Green Mountains. No list of the delegates has been preserved, but representative men of all parties to the controversy were there. The New Hampshire Assembly was represented by twelve of its members from Cheshire County. Col. Olcott, Col. Payne, Professor Woodward, Luke Knowlton, Gen. Bellows, Ira Allen and others of the leaders, were there either as delegates from their own towns or from adopted constituencies. For example Ira Allen bore credentials from Sunderland, but his real credentials were his secret instructions from Governor Chittenden to defeat at all hazards any attempt to divide Ver-

mont. Samuel Chase of Cornish was made chairman and Professor Woodward, clerk. It was recognized that action of large importance was about to be taken, and all parties and interests were watchful and active. New York, Exeter and the United Towns or College party were united in favor of joining all the Grants east of the mountains to New Hampshire. The College party had not entirely abandoned hope of securing a separate state in the valley, but the hope had become faint and they were ready to accept union with New Hampshire with the Green Mountains as the western boundary, which would result as a matter of course in giving the territory west of the mountains to New York. After two days of discussion it was voted by a large majority that New Hampshire should extend her jurisdiction as proposed, and a committee headed by Gen. Bellows prepared a report embodying this recommendation. Before final action was taken on this report. Ira Allen arrived, and he recognized at once that the situation was a critical one for Vermont—a matter of life or death. He managed to secure the re-commitment of the report over night ostensibly to secure some minor corrections, and at once set himself at work, with his characteristic energy and resources to undo what had already been accomplished. There is little doubt that he spent a busy night. Just what arguments he used with Gen. Bellows' Committee and with the members of the convention to secure from the majority of the committee an entirely different report than the one recommended, and its adoption by a large majority is not known, but committee and convention which was on the 17th of January for New Hampshire, was on the 18th for Vermont. Allen's own account of what was done and how it was done is enlightening: "Mr. Allen informed some confidential persons, that the governor, council, and some other leading characters, on the west side of the Green Mountains, were for extending their claim of jurisdiction to the Mason line: and that if the Convention would take proper measures, the legislature of Vermont would extend their claim at their adjourned term in February 1781; and that he was authorized to give such assurance."

A motion was made and carried, to consider the report and recommit it to the committee, to be corrected and fitted for

the press, as it would be a matter of public notoriety, and to lay it again before the convention the next morning. The friends of New Hampshire were much pleased with their success and well enjoyed the night: but the scene changed the next morning, and the committee reversed their report, and reported to unite all the territory of New Hampshire, west of Mason's east line, extending to Connecticut river, with the State of Vermont; which report was accepted, by a great majority of the convention, it being principally opposed by twelve members of the Council and Assembly of New Hampshire, who, thereupon, withdrew to remonstrate against the proceeding.

This barefaced conduct of the members of the legislature disclosed their intention at once, and furnished Vermont with fair pretensions to extend her jurisdiction on grounds of similar policy and self preservation.

The convention then appointed a committee to confer with the legislature of Vermont at their next term, and adjourned to meet at Cornish (only three miles from Windsor the place of sessions of the legislature of Vermont, agreeable to adjournment) on the same day with them.

On February 10th the committee informed the Assembly, then sitting at Windsor, that "the convention of the New Hampshire towns was desirous of being united with Vermont, in one separate independent government, upon such principles as should be mutually thought the most equitable and beneficial to the whole." In consequence of this application, the legislature resolved, on February 14th, that "in order to quiet the present disturbances on the two sides the river (Connecticut) and the better to enable the inhabitants on the two sides of said river to defend their frontier, the legislature of this state delay a *jurisdictional claim*, to all the lands whatever east of Connecticut river, north of Massachusetts, west of Mason line, and south of latitude 45°; and that they do not exercise jurisdiction for the time being."

The convention of New Hampshire towns was then sitting at Cornish, on the opposite side of the river: and on February 22d, the Articles of Union were agreed upon and confirmed; nevertheless the right of dissolving the union of the district was retained by the State of Vermont.

It is difficult to understand how the members of the convention representing the United Towns, the leaders of the College party could bring themselves to trust the assurances of Allen in view of their treatment by him and those associated with him in the Union of 1778, but they did so, and by their action forever ruined whatever prospects they might have had of securing a Connecticut Valley state. The insincerity of Allen is seen by a reading between the lines of his account just quoted, and after the final settlement of the whole matter he openly boasted that his sole object was to deceive them, and to throw them overboard at the first opportunity.

Of the New Hampshire towns in the convention Cheshire County furnished more than twenty, and Grafton but fifteen, but eight of the Cheshire County towns—Winchester, Keene, Walpole, Charlestown, Richmond, Alstead, Claremont and Newport, with their eleven members led by Gen. Bellows, protested, and withdrew on the ground that while they were ready to join New Hampshire, or to set up a new state between the heights of land on both sides, they were unwilling to join Vermont.

The Vermont Assembly and the Convention met as agreed upon February 8, 1781 at Windsor and Cornish respectively and the second union was agreed upon subject to the approval of the majority of the towns in Vermont and two-thirds of those in New Hampshire lying eastward to about twenty miles from the river. This union was also practically a reunion of the towns east of the Green Mountains with those on the west, since for some months there had been but little left of Vermont but the western towns. The terms of the union which was completed February 22d were in brief, the continuance of the Windsor Constitution or the organic law, subject only to revision as was therein provided: that application should be made to Congress for admission to the Confederation, with this provision "that no member of the legislature should ever give his vote for, or in any way consent to, the submission of the question of the state's independence to the arbitrament of Congress or of any other power." Questions of disputed boundary might be submitted to Congress, but only after the admission of the state into the Confederation. Expenses and losses of the several towns occa-

sioned by the war should be equitably adjusted: general acts of amnesty and oblivion should be passed for all offenses committed during the disturbed state of affairs, and all suits, prosecutions and judgments against persons offending by trespass should be discharged and annulled. The two bodies then adjourned to the 5th of April pending action by their constituencies on the subject of the Union.

There was no adverse report from any of the towns east of the river. Thirty-four assented. Of these, fifteen were Grafton County towns: Gunthwaite (Lisbon), Lyman, Morristown (Franconia), Bath, Landaff, Haverhill, Piermont, Orford, Lyme, Hanover, Dresden, Lebanon, Enfield, Cardigan (Orange), and Grafton. Nineteen were Cheshire County towns: Plainfield, New Grantham, Cornish, Croyden, Claremont, Newport, Saville (Sunapee), Charlestown, Acworth, Lempster, Alstead, Walpole, Marlow, Westmoreland, Surry, Gilsum, Chesterfield, Hinsdale and Richmond.

Of the forty-three Vermont towns making returns thirty-six favored the union, and seven opposed it. Of the seven, five including Bennington, were west of the mountains, while but two Woodstock and Hartford were near the river. Hartford through the influence of Col. Joseph Marsh made no return. April 6th the representatives from the thirty-five New Hampshire towns, who had been elected when the vote was taken on the union, were admitted to their seats in the assembly, and the second union was formally accomplished. Among these were men of marked ability and influence, who had been active in the attempt to form a new state, and in opposition to the governmental policy of New Hampshire. The more prominent of these were: Nathaniel S. Prentice of Alstead, Dr. William Page of Charlestown, Bezaleel Woodward of Dresden, Capt. Oliver Ashley of Claremont, William Ripley of Cornish, Bela Turner of Enfield, John Young of Lisbon, Jonathan Freeman of Hanover, Col. Timothy Bedel of Haverhill, Col. Elisha Payne of Lebanon, Jonathan Child of Lyme, Benjamin Giles of Newport, Davenport Phelps of Oxford, and Thomas Russell of Piermont.

Measures were at once taken to place the affairs of the new state in working order. The counties of Cumberland and Gloucester were divided into Windham, Windsor and Orange,

beginning on the south, Cheshire was erected into a new county, named Washington, and the lines of Windsor and Orange were extended across the river to take in the towns on the east side, which were divided into four probate districts, Keene, Claremont, Dresden and Haverhill.

The Bennington party was in a hopeless minority. Col. Payne was made chief justice of the Windsor County court with Bezaleel Woodward and Thomas Marsh as assistants. Professor Woodward was also made judge of probate for the Dresden district, and was also chosen secretary pro tem of the Council. Col. Bedel was made a member of the Board of War, and Col. Olcott was placed in command of the Second Brigade. Bennington however was biding her time. At the very beginning she gained a vital advantage. The eastern towns were not admitted on equal terms with Vermont. The independence of the latter was to be maintained at all hazards, but her jurisdiction east of the river was merely set up as a claim not to be exercised if disapproved by Congress. To make such disapproval certain, a feature of the plan of union was to extend the new state westward, as far as its extension eastward, to the Hudson river, this latter territory without question belonging to New York, and under this agreement eleven towns in the Hudson river section were admitted at the June session at Bennington on the same basis as the New Hampshire towns in spite of strenuous opposition of the river towns. At the same session Jonas Fay, Bezaleel Woodward and Ira Allen were chosen to attend upon Congress and apply for admission as a state with authority to take seats as delegates if admitted. That Fay and Allen, two of the three were of the Bennington party was significant. New Hampshire in the meantime was not idle. She awoke to the danger that confronted her. On the 31st of March the Assembly instructed the delegates in Congress to urge for a speedy decision, and to diligently and attentively support the claim of the state to the Grants, and to exert their utmost power to secure the confirmation of the claim. President Weare under date of June 20 wrote the delegates: "New Hampshire is brought into such a dilemma, and the government thrown into such confusion by the delay in Congress, that it is impossible for her to comply with the requisitions of Congress,

to any great degree, while this dispute remains unsettled: and it is in vain for them to expect it of her, as no supplies of men, money or provisions can be collected from more than two-thirds of that part of the state which lies east of Connecticut river, and unless Congress brings matters to an immediate issue one cannot tell how far the contagion may run, but very much fear that the state will very soon be ruined in a great measure, and not able to contribute farther towards the war." This letter was referred on the 9th of July to a committee of Congress consisting of Roger Sherman of Connecticut, Thomas McKean of Delaware, Daniel Carroll of Maryland, and James M. Varnum of Rhode Island.

The next day Gen. Sullivan wrote President Weare, showing that both Mr. Livermore and himself were doing all in their power to secure a final settlement, and indicating very clearly that he at least appreciated the gravity of the situation: "I am every day more and more convinced of the danger and impolicy of suffering the question of the independence of Vermont to come upon the tapis. \* \* \* I scarcely dare trust my thoughts on paper: but be assured, sir, that the policy of Vermont has induced them to make enormous grants to men of *influence* in several states, and even to members of Congress. \* \* \* The only plausible argument in favor of determining the question of independency, is, that this is not simply a dispute between New York and New Hampshire: but between them and a people claiming to be independent of both. The answer to this is simple and plain, viz., that New Hampshire and New York both by ancient and modern determinations join upon each other. Of course, no independent state can possibly exist between them, and their claims of independence can no more operate to alter the mode of trial pointed out in the Confederation, than if Massachusetts and New Hampshire both laid claim to the County of Essex, and the inhabitants were to declare themselves independent of both: Here the first step should be to settle the dispute between the states: and if it was determined to appertain to Massachusetts, no other question would be necessary. Besides, if we admit for a moment the possibility of its being independent, we declare it out of the union, and oust ourselves of any jurisdiction, as we have nothing to do

with more than thirteen states: a fourteenth would have a right to deny the jurisdiction of Congress, which it seems Vermont has already done. The safest ground therefore for New Hampshire is to insist that there is no intermediate spot between New York and New Hampshire: and that as Congress have included Vermont within the limits of the thirteen United States, it must belong to some one of them; and, therefore Congress ought to determine to which,—agreeable to the rules laid down in the Confederation. I confess myself astonished at the proceedings of Vermont, and more so at the conduct of the inhabitants in our own counties. I am unwilling to believe them influenced by the British; but a variety of circumstances have almost confirmed me in this opinion.”

The committee Jonas Fay, Bezaleel Woodward and Ira Allen who were appointed by the Vermont legislature in June to wait upon Congress and apply for the admission of Vermont were received in Philadelphia August 18, by a committee of Congress, who reported August 20 a resolve which was adopted by Congress that an indispensable condition of admission would be a relinquishment by Vermont of all territory in New York west of the Massachusetts line, and all east of Connecticut river in New Hampshire. Fay and Allen naturally announced a willingness to accept that condition, only they stipulated that Vermont should be first admitted. The committee returned home for instructions.

The Vermont legislature met again at Charlestown October 11, for the first and only time east of the river. There were members present from 102 towns. 66 west of the river and 36 east. The membership, was much the same as in the previous legislature after the union. Governor Chittenden had been re-elected, but there being no choice for deputy governor Col. Payne of Lebanon was elected by the legislature October 12, and by virtue of this office became Major-General of the State Militia. He was also chosen Chief-Justice of the Supreme Court, and Professor Woodward was chosen one of the four judges of the Superior Court, but declined the office, remaining however as clerk of the joint assembly.

The committee who have been appointed to wait upon Congress, Fay, Woodward and Allen submitted copies of the

papers and documents which had been submitted to Congress, with the resolutions of Congress of August 17 and August, 20, and these were considered in the committee of the whole on the 16th, 17th and 18th of October, when it was resolved that the legislature of Vermont could not comply with the resolutions adopted by Congress August 20 "without destroying the foundation of the present universal harmony and agreement, that subsists in this state, and a violation of solemn compact, entered into by articles of Union and Confederation." It was also voted that whenever the State of Vermont as then constituted should be admitted to the union, disputes with New Hampshire and Vermont concerning boundary lines should be submitted to Congress for decision or to five or more judicious unprejudiced persons, and that such decision should be held sacredly binding on each of the states, parties to the disputes. Still further, nine commissioners, three from each of the three sections of Vermont were also elected to treat with commissioners to be elected on the part of New Hampshire and New York respectively for adjusting jurisdictional boundary lines, but neither New Hampshire nor New York assented to this plan.

While these resolves were being adopted at Charlestown, and the assembly was assuming almost a defiant attitude toward New Hampshire, New York and Congress, there were indications that Congress was at last to take action. A committee of that body, which had held the matter under advisement for some weeks, at last on the 17th of October reported a series of resolves, declaring that all the territory east of Connecticut river should be guaranteed to New Hampshire, and that Vermont's claim to the territory it had recently sought to annex from New York should be abandoned; that upon the relinquishment of her claim to this territory both on the east and west Vermont should be immediately recognized and admitted into the Confederation, and that in case of refusal after thirty days, "Congress will consider such neglect or refusal as a manifest indication of designs hostile to these United States, and that all the pretensions and applications of the said inhabitants, heretofore made for admission into the Federal Union, were fallacious and delusive; and that thereupon the arms of these states shall be employed against the said inhabitants within the district aforesaid accord-

ingly. And Congress will consider all the lands within said territory to the eastward of a line drawn along the summit of a ridge of mountains or height of land extending from south to north throughout the said territory between Connecticut river on the east and Hudson river and Lake Champlain on the west, as guaranteed to New Hampshire under the Articles of Confederation; and all the lands within said territory, to the westward of said line as guaranteed to New York under the Articles of Confederation, provided always, that Congress will consider any other petition which shall hereafter by an agreement between the legislatures of New Hampshire and New York, be made between their respective states concerning the territory aforesaid, as guaranteed to them according to such agreement." These resolves were debated at different times for some weeks without coming to a vote, but as indicating the attitude of Congress they were not without large influence.

When the Vermont legislature which met at Charlestown, and in which the Bennington party were in a minority, adjourned, it was to meet at Bennington on the last Thursday of January 1782. But there was trouble in Cheshire County even before the meeting of the Charlestown legislature, trouble which became more and more serious after adjournment. The towns in that county which had protested against the union with Vermont, had one after another, with the exception of Winchester joined themselves to Vermont, but the union was still in disfavor with an active and strong minority, who were held in check only by violence and threats. Gen. Bellows not only refused to take office under the new state but actively exerted himself to re-establish New Hampshire in control in the county. Complaints of persecution and outrages committed on a dissenting minority in Grafton County were made to the Exeter authorities, but the chief trouble was in Cheshire County, where the civil authorities of the two states came into open conflict, and jail commitments and attempted jail deliverances became the order of the day. The feeling aroused in many towns was vindictively bitter. In November and December armed collision seemed imminent. The Vermont County of Washington was comprised of towns lying within the New Hampshire County of Cheshire. It transpired that at the same time and in the same place, justices,

sheriffs, constables, appointed by the authority of both states, were exercising, or attempting to exercise jurisdiction over the same persons. Courts were held under the authority of each state, and individuals according to their adherence to New Hampshire or Vermont sought justice at the tribunal of what he considered his own state. Conflict was inevitable. New Hampshire passed acts for the enforcement of its authority in Cheshire and Grafton counties. About the middle of December Major General Payne actually issued orders for the Vermont Militia to march to the scene of the troubles, but proposals for peaceable negotiations having been made they were countermanded two days later. In January, however, New Hampshire ordered for a like service a draft of a thousand men from the eastern and southern regiments, and sent a circular proclamation throughout the Cheshire and Grafton County towns requiring all persons to subscribe a declaration of allegiance to New Hampshire or leave the state. Similar confusion and open conflict of authority occurred in the eleven towns which had been annexed from New York.

As the time for the meeting of the Vermont legislature at Bennington drew near, it became evident that some action must be taken to settle the conflict of authority in Cheshire and Grafton. On the 14th of November, 1781 Governor Chittenden wrote to General Washington explaining the recently discovered secret correspondence between the Bennington party and the British enemy, and at the same time took occasion to allude to the controversy relative to the admission of Vermont then pending in Congress. Ira Allen had also about the same time visited Exeter and came to a secret understanding with some of the influential men in the administration of affairs there. In his letter to General Washington Governor Chittenden frankly avowed that the union of Vermont with the New Hampshire and New York towns had not been entered into in good faith, that it was simply a political manœuvre by which "the Cabinet of Vermont projected the extension of their claim of jurisdiction upon the States of New Hampshire and New York: that it was in consequence of the difficult juncture of affairs, with which the course adopted by them in opposition to her interest and the interests of the country had brought her,

and was as well to quiet some of her own internal divisions occasioned by the machinations of those two governments, as to make them experience the evils of intestine broils and strengthen Vermont against insult."

General Washington replied from Philadelphia under date of January 1, 1782 earnestly appealing for an immediate submission on the part of Vermont to the will of Congress, implying that such submission was the only thing needed to secure the immediate admission of Vermont into the union. "I am apt to think," he wrote, "that your late extension of claim has rather diminished than increased your friends: and that, if such extension should be persisted in, it will be made a common cause and not considered as only affecting the rights of those states immediately interested in the loss of territory;—a loss of too serious a nature not to claim the attention of any people. There is no calamity within the compass of my foresight, which is more to be dreaded than the necessity of coercion on the part of Congress; and consequently every endeavor should be used to prevent the execution of so disagreeable a measure. It must involve the ruin of that state against which the resentment of the others is pointed."

The legislature met at Bennington on the last Thursday in January, 1782. Owing to the condition of the roads many of the river towns were not represented. On the 11th of February the letter of General Washington, the receipt of which by Governor Chittenden had been kept secret was read to the Assembly, and on the 19th the General Assembly went into the Committee of the Whole with Governor Chittenden in the Chair to take into consideration the action of Congress the previous August. Letters and papers pertaining to the matter were read, particularly the letter from General Washington which evidently had great influence with the whole body. The following resolution reported by the committee was adopted by the Assembly February 22: "Resolved that Congress in their resolutions of the 7th and 20th of August last in guaranteeing to the respective States of New York and New Hampshire all territory without certain limits therein expressed, have eventually determined the boundaries of this State." An act was passed in conformity with this resolution relinquishing all claims to the disputed territory, and

on the 23d it was resolved "that the west bank of Connecticut river and a line beginning at the northwest corner of the Massachusetts State, from thence northward twenty miles east of Hudson's river as specified in the resolution of August last, shall be considered as east and west boundaries of this State, and that this Assembly do hereby relinquish all claim and demand to and right of jurisdiction in and over any district of territory without said boundary lines, and that authenticated copies of this resolution be forthwith officially transmitted to Congress and the States of New Hampshire and New York respectively."

Thus ended the controversy between New Hampshire and Vermont so far as boundaries and jurisdiction were concerned. The long struggle for a union of the Connecticut Valley towns under one government was ended. The Bennington party was naturally jubilant and at once hurried off to Philadelphia four agents with secret instructions in expectation of receiving promptly the stipulated price of their violation of solemn and sacredly binding pledges to the eastern towns, admission to the union. Congress, however, refused at the time to even consider the matter, and nine years elapsed before Vermont obtained recognition of her Statehood and membership in the sisterhood of States.

When the members from Windsor County east of the river arrived at Bennington they found the union dissolved and themselves excluded from their seats in the legislature. They took the only course open to them, met, chose deputy governor and chief justice Payne chairman, and issued a call for the excluded towns to choose delegates to meet at Dresden on the third Tuesday of March, 1782, "in order to devise proper ways and measures to be taken under their present situation relative to settling the animosities subsisting, in order for an honorable union with New Hampshire." This convention was held in pursuance of the call, and it was voted to choose agents to apply to the New Hampshire Assembly for a union with that State upon certain terms which were stated in fifteen articles which were drafted with great care, presumably by Col. Payne and Professor Woodward. The agents waited on the Assembly, but found that body in no mood to listen to dictation. It would

listen to nothing but unconditional surrender, and proceeded at once to exercise its power. The courts in Grafton County were re-established, and precepts were issued to sundry towns in Grafton and Cheshire for the election of representatives to the General Court. The name of Professor Woodward was omitted in the list of judicial appointments, and there was no attempt at conciliation of the college party. The disturbed condition of affairs was still a long time in settling. Even in Cheshire county which had been the stronghold of the New Hampshire party there was confusion and bitter dissension. General Bellows, who was a member of the New Hampshire Council reported in July that Richmond, Claremont, Cornish, Plainfield and Croyden refused to pay taxes, and that in nearly every town in the county there were some who declared openly for the British, but in September representatives from some of these towns appeared at Exeter and took their seats. Haverhill was the first town in Grafton County to be represented, sending Judge James Woodward in 1782, and Col. Timothy Bedel, who had been a member of the Vermont legislature under the union in 1783. Hanover held out for concessions until 1784.

Four towns on the Vermont side the river, Newbury, Bradford, Thetford, Norwich and Hartford, sought union with New Hampshire in the summer of 1782, and owing to the continued opposition of the State of New York to the independence of Vermont, and to the delay of Congress in recognizing such independence, certain preliminary steps were taken towards the annexation of the territory west of the river to the Green Mountains, but these were only preliminary. New Hampshire, weary of controversy, decided to secure what had now come within her grasp without engaging in further controversy. She would preserve what she had. Some of the leaders of the Dresden or College party emigrated. A considerable number from Hanover went to Randolph, Vermont, where they had purchased proprietary interests. Col. Morey moved across the river from Orford to Fairlee in 1782. Later some of the Cheshire County malcontents entertained a scheme of colonization on the island of Cape Breton under the patronage of Governor John Wentworth, sent agents to investigate, obtained a grant of 100,000 acres, but the number who went to form this colony was inconsiderable.

erable. One of the chief obstacles in the way of pacification was the drastic methods employed by New Hampshire to exact the payment of delinquent taxes, but these troubles were finally settled. The end of the war of the Revolution with the surrender of Cornwallis and the coming of peace after the long struggle for independence encouraged a spirit of magnanimity among all parties, and aided in a final settlement satisfactory to all. The College for its part in the controversy was not easily forgiven, and the attempt, a generation later which happily failed, to wrest its control from the corporation chartered by King George, was a survival of the bitterness against the institution which rankled in the breasts of the dominant party in the State. With few exceptions, however, the leaders of the College party on both sides the river accepted the situation philosophically and addressed themselves to the task of reestablishing the authority of their respective states in the disaffected towns. The United Towns organization was dissolved; Professor Woodward resumed his professorship, and later was reappointed to his former position as a justice of the Grafton County Court of Common Pleas. Col. Elisha Payne became a senator in 1786, and Jonathan Freeman was a little later elected to the same office. It is to the credit of these and other leaders of their party, that when they recognized that the contest was over, they strove to promote harmony and gave loyal allegiance to the State of New Hampshire.

Then began their contest for the recognition by the state of towns as units of government, and for town representation in the legislature. They had lost after a long and at times bitter contest. And yet their cause was not a "Lost Cause" for the ultimate plan of government agreed upon in New Hampshire embodied in its essential features the very plan of town representation they had so strenuously contended for, and embodied it so firmly that successive Constitutional Conventions have since found themselves powerless to secure its uprooting.



Chapter VIII  
RECONSTRUCTION



## Chapter VIII

### RECONSTRUCTION.

Need of a Permanent Form of Government—Convention of 1778-9—First Plan Proposed—Convention of 1781—The Bill of Rights—Objectionable Features of the Plan—The Plan Rejected by the People—Convention of 1782—This Plan also Rejected—Delegates Meet at Concord in 1783—Their Plan accepted in 1784—Some Features of the Constitution—Place where the Convention Was Held—Authors of the Constitution—John Pickering—Jonathan M. Sewall—Paper Currency—*Fiat* Money—Proposed Remedies for Depreciation—Were the People Poor?—Situation Stated by Belknap—Truth Contained in Ridicule—Riot at Exeter—Worth of Money—Slavery in New Hampshire—Speech of Joshua Atherton.

THE plan of government that was adhered to during the Revolution was only a temporary experiment. When it was adopted, it was the wish of perhaps the majority that a reconciliation with the mother country might be effected. As years went by, its inefficiency was seen. There was no proper executive, and during the interim between sessions of the legislature, or general court, the committee of safety had executive powers, and the president of that committee was virtually the chief executive officer of the State. The Council, that acted as the Upper House of the legislature, was at first chosen by the Lower House and did not fairly represent the people. There was no well marked division of government into legislative, judicial and executive. The same person sometimes held offices that made him law-maker, judge and ruler. This was earnestly opposed by many, and endeavor was made to enact law prohibiting the holding of more than one public office by the same person. But such was the confidence of the State in the wisdom and integrity of Meshech Weare, Matthew Thornton and a few others, that in the stormy times of the Revolution the people felt safer to allow such men to do about as they pleased and to gather to themselves large measures of political power.

As soon as the foregleams of peace began to appear the General Assembly realized that without some action on their

part New Hampshire was likely to be soon without a government of any sort, for the plan previously adopted was to continue only during the war. Therefore on the twenty-seventh of February, 1783, it was voted that the then present government be continued in force till the tenth day of June 1784, even if a general pacification should take place, provided that a permanent plan of government for the State should not be established before that date. At the same time the inhabitants of the State were earnestly exhorted to give serious and immediate attention to this momentous and important matter, and the selectmen of the various towns were requested to lay the resolve of the general assembly before the people at the next annual town meetings, or at meetings specially called for consideration of the object. It seems to have been the wish of all that the people, the whole people, by means of their representatives should determine just what kind of a government they desired. All were thoroughly tired of being governed by the will of king, parliament, or a favored few.

This resolve of the general assembly, doubtless, was called forth by attempts already made to formulate a permanent government. A joint committee had submitted a somewhat similar report two years earlier, calling a convention of delegates from the several towns to form a plan of government, and even the towns of what is now Vermont, lying between the Connecticut river and the height of land, were to be invited to send delegates. Nothing resulted from this report.<sup>1</sup>

At a meeting held in Concord, January 26, 1778, Colonel Thomas Stickney, who was then representative in the General Assembly, was instructed "to use his influence in order that a full and free representation of the people be called as soon as conveniently may be, for the sole purpose of laying a permanent plan or system for the future government of the State." The meeting house was specially prepared to receive said convention, which assembled on the tenth of June 1778, and did not finish its work till the fifth of June in the following year. Among the distinguished delegates present were John Langdon, of Portsmouth, who presided, Matthew Thornton and John Bell from Londonderry, Josiah Bartlett from Kingston, Joseph Badger

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<sup>1</sup> N. H. State Papers, VIII., 885, 897.

from Gilmanton and Timothy Walker, Jr., from Concord. The constitution proposed at that time was printed on both sides of a large half sheet by Zachariah Fowle of Exeter, brother of the Robert L. Fowle who was proscribed. It was sent to all the towns of the State and was promptly rejected. Even Concord had only a majority of one in its favor. It contained a declaration of rights; that the people of New Hampshire were free and independent of the Crown of Great Britain; that they were entitled to life, liberty and property; that the common laws of England and laws of the State not inconsistent with the Declaration of Independence should be in force, unless repealed or altered; that government was vested in the people alone; that no laws should be made infringing the rights of conscience or any other of the natural, inalienable rights of man, or contrary to the laws of God, or against the Protestant religion; that the boundaries of the State should be the same as they were under the government of the late Governor John Wentworth, reserving a claim to the New Hampshire Grants west of the Connecticut river; and that the right of trial should be preserved inviolate forever.

The main features of the plan of government proposed were as follows: A Council and a House of Representatives were to constitute the governing body, styled the General Court, a phrase caught probably from Massachusetts. These were to be chosen about as before, each town having one hundred families to send a representative and smaller towns to be classed together. The judges and other general officers of State were to be chosen by the General Court, and also the delegates to the Continental Congress were to be so chosen. Provision was made to exclude members of the General Court from holding other offices, civil or military, and no member of the House should hold any salary under the government. The proposed plan was to be the fundamental law of the State and no alteration should be made therein except by a majority vote of the people, that is, the male inhabitants of the State, paying taxes, of lawful age, professing the Protestant religion. There was a property qualification for those holding office. It was a scheme for making a limited aristocracy the representatives and rulers

of the people, and the people saw it and voted the proposal down.<sup>2</sup>

Another convention met in Concord on the fifth of June 1781, for the purpose of forming a plan of government, or constitution. After a session of a few days a committee of seven were appointed to draft the new form, and the convention adjourned till the fourteenth of September, when they ordered seven hundred copies of the draft printed and sent throughout the State. Then they adjourned till the fourth Wednesday of the following January. The people were asked to state their reasons for the rejection of the whole or of any part of the plan proposed. This constitution also was rejected by the people. In the parish of Concord fifty-eight voted against it and nobody for it. What were the objectionable features? Certainly not the thirty-eight articles of the prefacing Bill of Rights, for these were adopted in 1783 with but very slight modification. The inalienable rights of man, grounded in intuitive reason and conscience, none cared to dispute. They formed the basis of the Constitution of the United States and of the States severally. All laws, as well as arguments, in order to endure, must be grounded in admitted truths, in what is generally recognized as true without effort to prove them. The right to life, liberty, and the pursuit of happiness, to the possession of personal property, to freedom of worship according to the dictates of conscience and reason, these form the basis of free government, and any abridgement of such rights must be for the greater good of the whole, or tyranny arises. It is noticeable, however, that while the claims of conscience were sacredly guarded for Protestants, all other religionists were excluded from certain offices. There had been too much opposition between Protestants and Roman Catholics in the old world to yet allow full religious toleration and respect for varied religious opinions and convictions.

Emphasis was laid upon the truth for which the revolutionists had contended, that government should be by the people and for the people, "not for the private interest or emolument of any one man, family, or class of men." This contradicted the practice of almost all governments in the past. Even ancient

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<sup>2</sup> Bouton's *Hist. of Concord*, p. 276; *Coll. of N. H. Hist. Society*, IV., 154-161.

Athens, under the forms of a republic, had ten slaves for every freeman. So was it when Rome was a republic. Feudal Europe had sunk back into the condition of ancient monarchies and empires, when the will of the ruler was the highest law, and freedom for the masses was something unknown. In all such governments standing armies were needed to repress popular aspirations and clamors, more than to repel foreign foes. New Hampshire's Bill of Rights contains this safeguard, that "no soldier in time of peace shall be quartered in any house without the consent of the owner." Military forces were to be subject to civil authorities and not to domineer in time of peace. It was meant that all officers, civil or military, were to be servants, and not masters, of the people. This theory still prevails, though practice seems occasionally to contradict the theory. The school children of New Hampshire ought to be thoroughly indoctrinated in her ancient Bill of Rights.

That part of the plan of government which met with most opposition concerned the election of the House of Representatives. It was proposed to limit the number of representatives to fifty, to be chosen by county conventions, wherein every town having fifty families should have a delegate and towns of less population should be classed together. For every additional fifty families another delegate might be elected to sit in the county convention. Every delegate must be a Protestant, a resident in the town for at least two years, and have property of the value of two hundred pounds, half of which must be real estate in the town he represented. The counties were to be divided into districts and each district was to be represented in the House of Representatives. Rockingham county was to have twenty representatives; Strafford, eight; Hillsborough, ten; Cheshire, eight; and Grafton, four. Thus political influence would be centered in the oldest towns of the State, and Portsmouth naturally wanted to be the capital city and have her old State House once more filled with legislators. This plan of representation lacked simplicity and gave the individual voters no direct choice in the election of members of the House. It would be easier than now for manipulating politicians to determine who the representatives should be. The people could not easily understand the plan, and when it was explained to them, they promptly rejected it.

An objectionable feature of the plan of 1781 was that every person qualified to vote for senator should have a freehold estate in his own right to the value of one hundred pounds. The adopted constitution declared that only the payment of a poll tax should be the legal qualification of electors, so far as property was concerned. Thus the people opposed any restriction of the franchise. All through the gradual formation of the Constitution there was the concealed desire of the few to rule the many and the victorious demand of the many for manhood rights.

The plan of 1781 proposed that the chief executive should be called Governor, and this word sounded too monarchical to free republicans, and so they substituted the word President. Perhaps the contrast between President Weare and Governor Wentworth was in their minds. The Governor must have an estate valued at one thousand pounds, and each senator must have an estate of four hundred pounds, according to the proposed constitution of 1781.

Concord voted, in considering this plan, to have a town representation, to have a governor, that he shall not have a privy council, and that the people at large shall appoint their militia officers.

This plan having been rejected by votes of the towns, the convention met in Concord again in August of 1782 and submitted a modified plan to the people, and this also was rejected. Every one of the fifty-two voters of Concord voted against it. They voted to leave the Governor with his Privy Council out, that there be a President, a Legislative Council and a House of Representatives, and that the powers vested in a governor and council in the proposed plan be rather vested in the Legislative Council and the House of Representatives.

Not disheartened the convention met again in June 1783 and agreed upon a third form of Constitution, ordered it printed, and adjourned till October thirty-first, of the same year. On that day the convention reassembled and found that the towns had ratified the last proposed Constitution, and it was declared established, after a prolonged effort of two years, four months and twenty-six days. Peace had been proclaimed in the army on the nineteenth of the April preceding. Perhaps this had

weight in putting an end to public discussion and hastening the adoption of a Constitution. The convention decreed that the new Constitution should begin to be in force on the first Wednesday of June, 1784.

The Constitution of 1784 was modeled after that adopted by Massachusetts four years earlier, which came from the pen of John Adams. That State had been a leader among all the colonies in its oppositions to tyrannical rule and in its assertions of the rights of the common people, and John Adams was the most influential statesman of his time. Minor modifications and a few additions have been made from time to time, but the Bill of Rights remains the same in all the constitutions adopted, and there has been little change in the fundamental law. The principles of government have been adhered to and the result has been prosperity and happiness to the people as a whole. It is said that some of the articles of New Hampshire's Bill of Rights are traceable, even as to their phraseology, to the Magna Charta wrung from king John at Runnymede and to the Petition of Rights which Charles the First was compelled to reaffirm. The first articles remind one of the words used in the Declaration of Independence.

Article seventh of the Bill of Rights affirms that New Hampshire is a "free, sovereign and independent State." Its sovereignty and its independence have not been allowed by all political writers. Some have claimed that the federation of States was sovereign and that no State, from the beginning, was independent. The doctrine of State Sovereignty and State Rights has been argued for a long time and was, we may hope, finally decided by force of arms. By adoption of the Federal Constitution certain rights of States were delegated to the United States of America, and whatever New Hampshire was at the beginning she is not now a sovereign and independent State, but one in a group of States that form a single sovereign nation.

The sixteenth article provides that no person after acquittal shall be again tried for the same crime or offense. This was the first time in history that such a law was enacted, and it was adopted in substance into the Constitution of the United States.

According to the Constitution of 1784 the chief executive

was called President; he presided over the Senate; and he had no power of veto. In 1792 his title was changed to Governor and he was given power to veto bills passed by the legislature, while the Senate elected its own President, who became Governor in case of vacancy in the gubernatorial office by reason of death, absence or other cause.

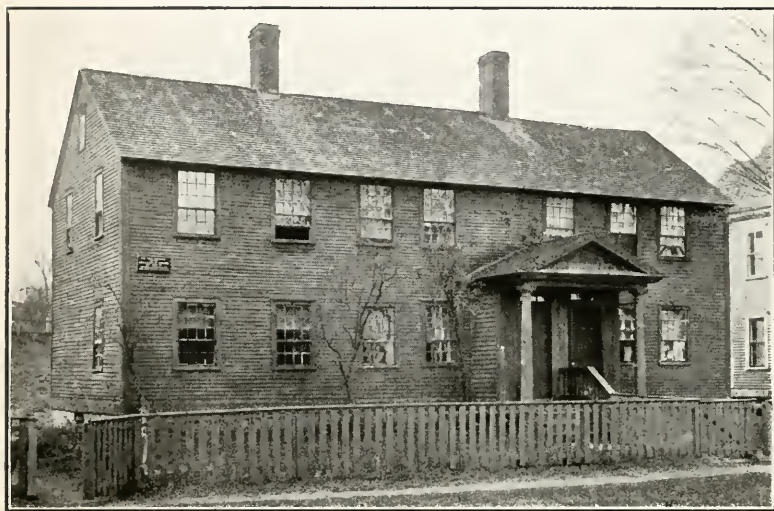
The leading civil and military officers were required to subscribe to a solemn declaration, whose length was supposed to add weight and power to the obligation assumed and thus help to secure fidelity. A much simpler and abbreviated form of words made up the oath of office in the Constitution of 1792. The original form was as follows:

I, A. B., do truly and sincerely acknowledge, profess, testify and declare, that the State of New-Hampshire is, and of right, ought to be, a free, sovereign and independent State; and do swear that I will bear faith, and true allegiance to the same, and that I will endeavor to defend it against all treacherous conspiracies and hostile attempts whatsoever: And I do further testify and declare, that no man or body of men, hath or can have, a right to absolve me from the obligation of this oath, declaration or affirmation; and that I do make this acknowledgment, profession, testimony and declaration, honestly and truly, according to the common acceptation of the foregoing words, without any equivocation, mental evasion or secret reservation whatsoever. So help me God.

This was in harmony with ancient forms of adjuration that have been handed down in some fraternities. Members of the Society of Friends and others having conscientious scruples were permitted to omit the word "swear" and the words "So help me God" and to substitute "This I do under the pains and penalties of perjury."

During the revolutionary war all sessions of the General Assembly were held in Exeter. The conventions for framing a Constitution were held in Concord, and the convenience of the location, nearer to the center of the State and more easily reached by the majority of the members, probably determined the vote of January 18, 1782, to hold the next session of the Assembly in Concord. Accordingly it met there first on the thirteenth of March 1782, the meeting house having been specially fitted for the occasion. But meeting houses then had no stoves or fire-places, and the inclemency of the weather drove the legislators to a hall over Judge Timothy Walker's store, which stood a few





HOUSE WHERE LEGISLATURE FIRST ASSEMBLED IN CONCORD

rods south of the house built by the Rev. Timothy Walker in the year 1733-4. The house and the store remain to this day, though the latter has been removed across the street and a little further north. Appropriate markers indicate the original site and the building, a long, two-story, wooden structure, on the west side of Main street. The noble elms about the original site were planted by the Rev. Timothy Walker in 1764. The President of the State with his Council occupied the north parlor of the Walker house, while the south parlor served as a committee room, and the room above it as the office of the treasurer of the State. It is probable that the meeting house was the place of meeting of the General Assembly whenever the weather permitted. This stood where the Walker School building has recently been erected, and after a new meeting house had been built further south, the old meeting house was sold to become the Concord Biblical Institute of the Methodist Episcopal Church, precursor of the School of Theology of Boston University. It was burned in 1870.

Concord did not become the capital of the State till 1816, although previous to that date forty-two sessions of the General Court were held there. But there were occasional sessions at Portsmouth and at Exeter. In 1790 Concord voted to raise one hundred pounds to build a house for the accommodation of the General Court, and citizens of the town subscribed five hundred and fifty-five dollars more for the same purpose. It was a one-story building, eighty feet long and forty wide. The land was given by William Stickney. The building was called the Town House and here the General Court held its sessions, whenever it convened in Concord, till the year 1819, when the State House was completed.

As to the immediate authorship of New Hampshire's first Constitution it is recorded that in the convention of 1781 a committee of seven was appointed to draft it, consisting of General Nathaniel Peabody of Atkinson, Judge John Pickering of Portsmouth, Jonathan M. Sewall of Portsmouth, Judge Timothy Farrar of New Ipswich, the Rev. Mr. Goddard of Swanzey and two others. Judge Pickering was appointed a sub-committee to draft the Form of Government, and Mr. Sewall to draft the Bill of Rights. The Constitution adopted

in 1784 was only a modification of their drafts, with but little change in the latter. It will be of interest to know who these men were, to whom the State owes so much. The following sketches are condensed from the Plumer Manuscript Biographies.

John Pickering was born in Newington in the year 1737, a descendant of John Pickering, one of the first settlers of Portsmouth. He was graduated at Harvard College in 1761 and afterwards studied theology, having for a time the ministry in view. Indeed he was invited to become colleague of an Episcopal clergyman in Boston, but preferred to employ his talents at the bar. He commenced legal practice in Greenland but soon removed to Portsmouth, where he spent his life and became eminent as a pleader. No lawyer in the state advocated so many causes as he, nor received so small compensation. His generosity was well known. His distinguishing characteristics were conscientiousness, charitableness, benevolence and sociability. He was reckoned among the patriots in the Revolution, yet acted with caution. Elected as a delegate to the convention which formed the Constitution of the United States he did not attend, but was very influential in the adoption of that Constitution by New Hampshire in 1788. Had he opposed the convention would not have ratified it. He was for many years a member of the House of Representatives and spoke, as some thought, too often, being passionately fond of public speaking. He also served in the Senate and in the executive Council. In 1790 he was appointed chief justice of the superior court, at a salary of five hundred dollars. In 1795 he was appointed judge of the district court of New Hampshire, in the discharge of whose duties he became sick and insane. To get rid of him he was impeached for crimes and misdemeanors and found technically guilty and removed from office. He died on the eleventh of April 1805, a man of noble mind and heart, worn out and impaired by arduous labors.

Jonathan Mitchell Sewall was born in Salem, Massachusetts, in 1748. He studied law with a kinsman, Jonathan Sewall of Boston, and Judge Pickering of Portsmouth. He was distinguished for clearness of views, honor and integrity. His sympathies were with the accused, and of the many capital

cases he tried he won every one. He refused to be state's attorney, since he preferred to defend men rather than to accuse them. The only office he ever held was that of a member of the constitutional convention. He loved poetry and music and published, in 1801, a volume of verse, in which occurs the oft quoted lines:

No pent-up Utica contracts your powers,  
But the whole boundless continent is yours.

He was a stranger to avarice, frugality and economy and possessed but little property. His nervous complaints led at last to excessive use of ardent spirits, and he died in great poverty, March 29, 1808. Though, as has been said, he derived much of his Bill of Rights from John Adams and the Bill of Rights of Massachusetts, he made modifications and condensations, that were distinct improvements, and the State has reason to honor the memory of Jonathan M. Sewall, educator in political morals.<sup>4</sup>

To meet the expenses of the war there were emissions of paper money from time to time. Those of the Continental Congress amounted to two hundred millions of dollars. The States also issued paper money, and many thought this the easiest way of paying debts. The simple-minded have often and easily been persuaded to believe that government can create money at will. Its promises to pay are considered sufficient security, even if it has nothing to pay with. A promise derives all its value from the character and ability of the promiser. Good will and good intentions are not enough; he must also have actual possessions or ability to earn. The promise on paper has no value in itself; its value is in what it represents. It must somehow be exchangeable for that which has intrinsic value. If the government prints upon a piece of paper "This is a dollar," that fact does not make it a dollar any more than an artist's picture of a horse on canvas makes it a real horse. A material thing is worth, in the word's market, what it can be exchanged for. In the last analysis it is worth the labor expended in producing it or what it represents. Even pretentious statesmen in recent times have failed to grasp a few basal principles of public finance and have clamored for what has been called *fiat* money. The demand was still greater at the close of the Revolution, for people had

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<sup>4</sup> Cf. Hist. of Gilmanton, by Daniel Lancaster, p. 101.

seen little else for several years, and they had seen a lot of it. They thought there was no limit to the State's power to issue it. If it was redeemable at all, it was at some distant dates, and that need not worry the present user. Some seem to think that a promise to pay is payment, but the seller of merchandise and produce is not so ready to believe this. So long as the faith of the people at large is unshaken in the fidelity and ability of the government, it can continue to issue promissory notes, that will be accepted at par value. But during the Revolution it was uncertain what would be the issue of the conflict and whether the States would ever be able to redeem their pledges. The more emissions of paper money they made, the less was its value. This went on till it took seventy-five paper dollars to buy what one dollar formerly purchased. A scale of depreciation was fixed by the House of Representatives July 3, 1781. They concluded that up to the end of 1776 all contracts should be considered as payable in silver and gold. After that the value of paper currency declined steadily month after month, till 7500 dollars in paper were reckoned equal to only one hundred dollars in silver. Later on the paper money became absolutely worthless except as souvenirs. In 1781 General Sullivan wrote to John Langdon that paper dollars were in value inferior to coppers, which, by the way, New Hampshire began to coin in 1776. William Moulton was authorized to make a hundred weight of them, and one hundred and eight of these coppers were equivalent to one Spanish milled dollar. The copper, of pure quality, was equal to an English half-penny. Sullivan states that a breakfast in Rhode Island, that formerly cost twelve coppers, cost him in 1781 twenty dollars, a dinner thirty dollars, and lodging ten dollars. Speculators were purchasing continental paper dollars at from three to six hundred for one dollar in silver and sending them forward in wagons to sell at one hundred and twenty for one of silver. In April, 1781, at Philadelphia, paper money was carried through the streets on poles and in wagons by a mob of sailors and burned by wagon loads. Thus its circulation ceased. Sullivan goes on to say, "To give the assembly an idea of the value of paper money in January, 1781, I beg leave to mention that when five of the members of Congress were sent to meet the Pennsylvania line, though we rode our own horses

and were absent only five days, and three quarters of the time were entertained on free cost at Mr. Barclay's, yet our bill of expense amounted to twenty thousand dollars." In New Hampshire such bills were made a legal tender, but the law led to frauds, some seeking to pay old contracts with comparatively worthless paper, and thus its depreciation was hastened. Thus trade was ruined, business suspended, and silver was hoarded or sent out of the country, since paper would buy nothing abroad. Meetings were held, speeches made and petitions sent to Congress for relief, and specious arguments and printed circulars were the only reward. Counterfeiting hastened the ruin of paper currency, and it seems to have been easily and widely practised.

There were voluntary agreements and votes of townships in the attempt to maintain fixed prices, all to no purpose. The towns themselves had to change the prices more than once, and still people would not sell at the prices established. The law of supply and demand was stronger than any civil enactment. Even the Continental Congress tried to bolster up the confidence of the people in its paper money. A public address, which they ordered to be read in the congregations, declared that it was "the only kind of money which could not make to itself wings and fly away." This was in September 1771. Was this a deliberate attempt to deceive the whole body politic, or were the legislators forced by pressing exigencies to deceive themselves? It is easy to believe anything that we intensely want to be true. Conventions asked Congress to prohibit the States from issuing more paper money, to open loan offices, and to raise money by direct taxation. Congress replied by advising the States to confiscate property of "such of their inhabitants and other persons as had forfeited the same," and to invest the money arising from the sales in continental loan certificates. New Hampshire confiscated a few estates, including that of Governor John Wentworth at Wolfeborough, whose books were ordered to be sent to Exeter and sold at auction, but the money secured in confiscations was a trifling amount. Moreover, the sale of confiscated estates was not fully legal till the independence of the colonies was established, and with uncertainty of validity of title it was difficult to sell, even at auction. Some of the confiscated estates proved to be insolvent, and that of the ex-

governor was able to pay its creditors only because his father, Mark H. Wentworth, generously withdrew his claim for £13,680, till other creditors were satisfied.

One writer says that "in New Hampshire the whole population was poor, was in distress and in debt," but how could that be? How could all be in debt and to whom? Were they trying to eat each other up, like the Kilkenny cats? War makes a few rich and many poor. The merchants, ship-builders and privateersmen of Portsmouth were not impoverished by the war. There were speculators in land and paper money who enriched themselves. Capitalists who had money to loan contrived to get high rates of interest. Manufacturers of war materials and clothing did not suffer. The farmers raised as much as before and the old way of barter was open to all. Since the issue of bonds and paper currency is only one way of borrowing of the future, it may be that the habit of borrowing, without any reasonable foresight of paying the debt, was fostered among the people. Suits at law for the recovery of money loaned or of the price of goods sold were too numerous. Some mortgagees are always ready to foreclose whenever there is a favorable time to seize property. The taxes were high; a population of about eighty thousand were asked to raise a million dollars one year. Hard cash could not be obtained. A law was passed that other kinds of property might be offered in payment of taxes and debts. It is probable that there was abundance of property in New Hampshire, but war had distributed it more unequally than before, and the common, unlearned people felt the pressure. They alone cried out for relief. Such people, in all times of distress, feel that the government must be to blame, and there is some truth in their complaint. The blame in this case was that too much paper money had been issued, and the people thought that the only remedy was to issue more. The legislators were more to blame than the people. They had overcapitalized the available resources of the State; they had "watered stock" till it was worthless.

The situation is well stated by Belknap. "The scarcity of money was still a grievance which the laws had not remedied, but rather had a tendency to increase. To encourage its importation into the country, the legislature exempted from all port

duties, except light-money, every vessel which should bring gold and silver only; and from one-half of the duties, if a sum of money equal to one-half of the cargo should be imported. But it was to no purpose to import money, unless encouragement were given for its circulation, which could not be expected whilst the tender-act was in force; for every man who owned money thought it more secure in his own hands, than in the hands of others."

The clamor for paper money increased and, like a raging fever, approached toward a crisis. In every town there was a party in favor of it, and the public papers were continually filled with declamations on the subject. It was said that an emission of bills of credit would give a spring to commerce and encourage agriculture; that the poor would be able to pay their debts and taxes; that all the arguments against issuing paper were framed by speculators and were intended to serve the wealthy part of the community, who had monopolized the public securities, that they might raise their value and get all the good bargains into their own hands; that other States in the union had issued paper bills and were rejoicing in the happy effects of their currency, without any depreciation; that the people had a right to call upon their representatives to stamp a value on paper, or leather, or any other substance capable of receiving an impression; and that to prevent its depreciation a law should be enacted to punish with banishment and outlawry every person who should attempt by any means to lessen its value.

The same party who were so zealous in favor of paper currency and against laws which obliged them to pay their debts proceeded to inveigh against courts and lawyers. The inferior courts were represented as sinecures for judges and clerks; the defaulting, appealing, demurring, abatements, fees and bills of cost, without any decision, were complained of as burdens, and an abolition of these courts became a part of the popular cry. But the party did not content themselves with writing in the public papers. An attempt was made to call a convention, at Concord, whilst the assembly were sitting there, who should petition the legislature in favor of the plan; and it was thought, that the presence of such a body of men, convened at the same time and place, would have great weight. The attempt was defeated in a manner singular and humorous.

At the first sitting of the assembly, when five only of the members of the proposed convention were in town, some wags, among whom were several young lawyers, pretended to have been chosen by the towns in which they lived for the same purpose. In conference with the five they penetrated their views and persuaded them to post an advertisement for all the members who were in town to assemble immediately, it being of the utmost importance to present their petition as early in the session as possible. By this means sixteen pretended members, with the five real ones, formed themselves into a convention, choosing one of the five their president and one of the sixteen their clerk." They carried on their debates and passed votes with much apparent solemnity. Having framed a petition, complaining in the most extravagant terms of their grievances, praying for a loan of three millions of dollars founded on real estate, for the abolition of inferior courts and a reduction of the number of lawyers to two only in a country, and for free trade with all the world, they went in procession to the assembly (some of whom had been previously let into the secret) and with great formality presented their petition, which was suffered to lie on the table and was afterwards withdrawn. The convention then dissolved, and when others who had been really chosen by the towns arrived, they were exceedingly mortified on finding their views for that time so completely frustrated."<sup>5</sup>

Belknap presents the demand of this pseudo convention as a sort of *reductio ad absurdum*, and he did not see that much truth and justice were in the demands made. That a State should, in times of distress, make in some form temporary loans to farmers has since been done with good results. That there are and have been too many lawyers, and that a proper mode of registering deeds might do away with much legal procedure, and that the whole method of trying cases in court, with citations of precedents and appeal after appeal, is cumbersome and hard upon the poor, is now admitted by many of the wise. Reform in courts and legal procedure is the crying need of the present. And as for free trade with all the world, nothing would contribute more to equal justice for all and would sooner remove the causes of war among nominally civilized and Christian

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<sup>5</sup> Hist. of N. H. Farmer's Edition, pp. 398-9.

nations. The young wags and lawyers of Concord builded better than they knew.

At Exeter there was an embryo riot, such as suggests the Shays's Rebellion in Massachusetts. Men from the towns in the western portion of Rockingham county assembled at Kingston and thence marched to Exeter, where the General Court was in session. Some of their leaders had served in the Revolution. The mob numbered about two hundred, one half of whom marched on foot, armed with guns or swords, and the remainder followed on horseback, carrying clubs or whips. The General Court was sitting in the First Church, and the superior court in the town house on the opposite side of the street. The insurgents by mistake surrounded the latter building, where Judge Samuel Livermore was presiding. He ordered proceedings to go on and sternly forbade every one to look out of the windows. Then the mob attempted to stretch a cordon of men around the meeting house and intimidate the legislators. Spectators began to assemble, and the citizens of the town were in general opposed to such lawless proceedings. Their presence embarrassed and hindered the rioters. But they surrounded the building, stationed sentinels at the doors and windows, loaded their firearms, and announced their purpose to compel the General Court to enact a law for the emission of abundant paper money, which should be made a legal tender for the payment of debts and taxes, and their determination to hold the legislators in durance till the demand was complied with. One or two representatives attempted to make their escape and were driven back with insult. John Sullivan was then President of the State. He appeared at the entrance and listened to the demands of the assemblage. Quietly he told them that they need not expect to frighten him, for he had smelt gunpowder before. "You ask for justice," he said, "and justice you shall have." He did not order them to disperse, but let them wear out their own patience. Before the end of the afternoon the citizens of Exeter were come together and Colonel Nathaniel Gilman practised a *ruse de guerre*, to raise the siege. He caused a drum to be beaten briskly at a little distance, while a body of citizens approached with measured military step, and then cried out in stentorian voice, "Hurrah for government. Here comes

Hackett's artillery." The cry was caught up and echoed by others, and the insurgents did not wait long. Near by they encamped for the night. Meanwhile the militia of neighboring towns had been sent for, and in the morning two thousand men had been assembled at Exeter. Sullivan took command, and a company of horsemen under Colonel Joseph Cilley went forward and arrested the ringleaders of the mob, after which the rest surrendered or fled. Thus ended the attempt of the advocates of *fiat* money to intimidate the law-makers of New Hampshire, the most formidable demonstration ever made against the government of the State.<sup>6</sup>

Only eight of the rioters arrested were brought to trial, and no penalty was inflicted, except that some who held military offices were cashiered by a court martial, and some Presbyterians were censured ecclesiastically. The demand of the rioters for more paper money was referred to the votes of the people, who in their town meetings voted against a suggested issue of fifty thousand dollars. The assembly voted thereupon that no more paper money should be issued on any plan. All this was in 1786.

The same foolish demand for *fiat* money has more recently appeared in the "Greenback Party," and the same fallacies are involved in the proposal to make sixteen silver dollars equivalent to one of gold. The paper money of the United States is real money so long as it may be easily exchanged for something of intrinsic value, and only on that condition will people accept it in payment of debts. Otherwise they instinctively shrink from it without being able to formulate the reason why. So long as it takes just sixteen times as much labor to produce silver as it does to get gold, that ratio is satisfactory to all, but the relative standard can not be maintained in actual costs of production. Now gold can be obtained with half the labor that it could be mined twenty years ago, and consequently prices have doubled, and prices must continue to soar, in spite of the tirade against the high cost of living, till there is a limit fixed to the coinage of gold by a world-consensus of representative financiers. Most things are worth only what it would cost in labor now to produce them. Gold has lost half its former value; iron would

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<sup>6</sup> Condensed from Charles H. Bell's Hist. of Exeter, pp. 96-8.

be just as good a medium of exchange, if it was as rare as gold and it cost as much to obtain it.

The following, from Professor Edwin D. Sanborn's *History of New Hampshire*, has an important bearing on the question of currency:

During the year 1790 "important measures were adopted by the congress of the United States to give stability and permanency to the government and place the public credit upon a firm foundation. Provision was made for funding the debt of the nation. Two hundred million dollars of the old continental currency had been redeemed for five millions, forty dollars of paper for one of silver. Many persons proposed that the certificates of indebtedness for fifty-four million dollars, now due, should be purchased at their present worth and not for their original value. But a more honorable policy finally prevailed and the credit of the country was restored. After a long and heated discussion the state debts were assumed by the general government. This was not brought about without a discreditable compromise between the friends and enemies of the measure. The influence and votes of certain southern members were secured by a promise of locating the seat of government on the Potomac. The sum of the foreign, domestic and state debts was about eighty millions of dollars. Alexander Hamilton was the author of this plan, which finally proved of immense advantage to all parties.

New Hampshire was dissatisfied with the amount granted to her by the general government, as her share of twenty-one millions five hundred thousand dollars of state debts assumed by the United States. She had contributed to the support of the war three hundred and seventy-five thousand and fifty-five dollars, and received in return only three hundred thousand dollars. Other states received more than they had expended. This distribution was regarded as unjust, and called forth a spirited memorial to congress on the subject. The legislature set forth in forcible language their objections to the measure; and in conclusion solemnly "remonstrated against the said act, as far as it relates to the assumption of the state debts," and requested that "if the assumption must be carried into effect, New Hampshire might be placed on an equal footing with other states." Virginia and New Hampshire were at that early day found fighting shoulder to shoulder for state rights. (p. 214)

The question of human slavery entered into the discussions and plans for the reconstruction of the State. This institution had existed from the very beginning of New Hampshire. As early as 1649 William Hilton sold to George Carr an Indian slave named James, and the bill of sale is on record. The administration of the estate of William Drew of Oyster River, in 1669, makes mention of a male and a female "servant," the

polite word for slave. The will of Nicholas Follett, 1700, mentions "my Negro Man Caezer." African slaves had been brought to Virginia by the Dutch as early as 1619. At that time slavery was quite common in old England, and the American colonies followed the old custom. No law was necessary to legalize the traffic in slaves nor the custom of holding them. From time immemorial prisoners of war had been reduced to bondage. Hence Indians taken in war were held as slaves in many instances. The Rev. Hugh Adams of Durham brought with him from South Carolina, about 1707, an Indian female slave, who remained with him at Oyster River. Indians captured in the sham fight at Dover, in 1676, were sold into slavery in the West Indies. Deacon John Ambler of Oyster River had a slave that he flogged to death, and he was tried for the unintentional murder. Nearly all the men of wealth in New Hampshire, including General Sullivan, John Langdon, William Whipple and many of the ministers, owned slaves, and they seem to have been loth to part with them after the Revolution, or the fight for freedom. Some freed their slaves at that time. In 1779 twenty slaves of New Hampshire petitioned the Honorable Council and House of Representatives for their freedom. Among them was Peter Frost, slave of the Hon. George Frost of Durham, Representative to the Continental Congress. In the petition they expressed the desire "that the name of Slave may not more be heard in a Land gloriously contending for the Sweets of Freedom." No action was taken on this petition, "postponed to a more convenient opportunity." Nero Brewster headed the petition, called King Brewster, slave of Colonel William Brewster of Portsmouth. Tradition says that he had been a prince in his African tribe. The record of the House of Representatives says that "the House is not ripe for a determination in this matter."<sup>7</sup>

In 1767 there were six hundred and thirty-three slaves in New Hampshire, and in 1775 there were six hundred and fifty-seven. When the question of the adoption of the Federal Constitution was before the convention at Exeter, in 1788, decided objection was made to one paragraph, viz., "The migration or importation of such persons as any of the states now existing

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<sup>7</sup> N. H. State Papers, VIII., 862.

shall think proper to admit, shall not be prohibited by Congress prior to the year 1808; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person." Thus was the way left open for stealing "black diamonds" in Africa. A notable protest was made by the Hon. Joshua Atherton of Amherst, which puts him among the earliest and ablest abolitionists of the country. It is said to be the only speech preserved in that convention, and is as follows:

Mr. President, I cannot be of the opinion of the honorable gentleman who last spoke, that this paragraph is either so useful or so inoffensive as they seem to imagine, or that the objections to it are so totally void of foundation. The idea that strikes those, who are opposed to this clause, so disagreeably and so forcibly, is, hereby it is conceived (if we ratify the Constitution) that we become *consenters to* and *partakers in* the sin and guilt of this abominable traffic, at least for a certain period, without any positive stipulation that it should even then be brought to an end. We do not behold in it that valuable acquisition so much boasted of by the honorable member from Portsmouth, "that an end is then to be put to slavery." Congress may be as much, or more, puzzled to put a stop to it then, than we are now. The clause has not secured its abolition.

We do not think ourselves under any obligation to perform works of supererogation in the reformation of mankind; we do not esteem ourselves under any necessity to go to Spain or Italy to suppress the inquisition of those countries; or of making a journey to the Carolinas to abolish the detestable custom of enslaving the Africans; but, sir, we will not lend the aid of our ratification to this cruel and inhuman merchandise, not even for a day. There is a great distinction in not taking a part in the most barbarous violation of the sacred laws of God and humanity, and our becoming guaranties for its exercise for a term of years. Yes, sir, it is our full purpose to wash our hands clear of it; and, however unconcerned spectators we may remain of such predatory infractions of the laws of our nature, however unfeelingly we may subscribe to the ratification of manstealing, with all its baneful consequences, yet I cannot but believe, in justice to human nature, that, if we reserve the consideration, and bring this claimed power somewhat nearer to our own doors, we shall form a more equitable opinion of its claim to this ratification. Let us figure to ourselves a company of these manstealers, well equipped for the enterprise, arriving on our coast. They seize and carry off the whole or a part of the inhabitants of Exeter. Parents are taken, and children left; or possibly they may be so fortunate as to have a whole family taken and carried off together by these relentless robbers. What must be their feelings in the hands of their new and arbitrary masters? Dragged at once from everything they held dear to them—stripped of every comfort of life, like beasts of prey—they are hurried on a loathsome and distressing voyage to the coast of Africa, or some other quarter of the

globe, where the greatest price may await them; and here, if any thing can be added to their miseries, comes on the heart-breaking scene. A parent is sold to one, a son to another, and a daughter to a third. Brother is cleft from brother, sister from sister, and parents from their darling offspring. Broken with every distress that human nature can feel, and bedewed with tears of anguish, they are dragged into the last stage of depression and slavery, never, never to behold the faces of one another again. The scene is too affecting. I have not fortitude to pursue the subject.<sup>8</sup>

Joshua Atherton was born in Harvard, Massachusetts, June 2, 1735 and was graduated at Harvard College in the same class with Dr. Belknap. He removed to Amherst in 1773, having been appointed Judge of Probate of Hillsborough county. During the Revolution he was an open and pronounced loyalist and was imprisoned in Exeter and Amherst jails as a suspected person. At one time a mob pelted him with rotten eggs. He refused to sign the Association Test, but took the oath of allegiance in 1779, after which popular favor returned to him. He was a delegate to the constitutional conventions of 1783 and 1792. He also served as State Senator and Attorney-General in 1794. He died in Amherst April 3, 1809. His son, Charles Humphrey Atherton was one of the most prominent lawyers of the State, and his grandson, Charles Gordon Atherton, was member of Congress in 1838, when he introduced what was called the "Gag" rule of the House, which provided that all petitions for the abolition of slavery should be laid on the table and no further action taken upon them, which rule continued in force for seven years. Six years he was United States Senator. His sentiments respecting slavery seem to have been not so pronounced against that institution as were those of his grandfather.<sup>9</sup>

The Revolution virtually put an end to slavery in the North. No emancipation law was ever enacted by New Hampshire, though an act in 1789 seems to reveal the intention of legislators to regard slavery as a dead letter. The census of 1790 shows only one hundred and fifty-eight slaves in New Hampshire, and these were old servants held and supported out of kindness. The census of 1800 shows only eight slaves; in 1840 one is reported.

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<sup>8</sup> Debates in State Conventions on Adoption of the Federal Constitution, II., 203-4.

<sup>9</sup> Secomb's Hist. of Amherst, 859-861.

## Chapter IX

# PROGRESS IN CONSTITUTIONAL GOVERNMENT



## Chapter IX

### PROGRESS IN CONSTITUTIONAL GOVERNMENT.

First Session of the General Court—Sermon of Rev. Samuel McClintock—Religious Faith a National Asset—Convention to Ratify the National Constitution—Adjournment from Exeter to Concord—Leaders in the Debate—Federalists and Anti-Federalists—New Hampshire the Needed Ninth State to Ratify—Vote and Message to Congress—Amendments Recommended—Old Forms of Expression Should Be renewedly Interpreted—Revision of 1791-2—Leading Men of the Convention—Influence of William Plumer—Proposed Abolition of All Religious Tests Defeated—Judicial Reform Defeated—Too Many Lawyers among the Law-makers.

THE first session of the General Court after the adoption of the State Constitution was held in Concord, on the second day of June 1784. Meshech Weare, the political Nestor of his times, was chosen President of the State by a very large majority. In his absence Josiah Bartlett presided at the first session. The members of the Council were John McCleary of Epsom and Francis Blood of Temple, chosen from the Senate, and Joseph Badger of Gilmanton, Nathaniel Peabody of Atkinson and Moses Chase of Cornish from the House of Representatives. Ebenezer Thompson, who had served so long as secretary of the Committee of Safety, was chosen Secretary of State. Joseph Pearson of Exeter was made deputy secretary and paymaster of pensions. John Taylor Gilman of Exeter was Treasurer, and Eleazer Russell of Portsmouth was Naval Officer. The office of Chief Justice was filled by Samuel Livermore of Holderness, and Josiah Bartlett, William Whipple and Leverett Hubbard (succeeded by John Dudley of Raymond by appointment) were Puisne Justices. John Sullivan was chosen Attorney-General, and he also was Major-General of the militia. The twelve State Senators were Woodbury Langdon, John McCleary, Joseph Gilman, Timothy Walker, John Langdon, John Wentworth, Ebenezer Smith, Francis Blood, Matthew Thornton, Simeon Olcott, Enoch Hale, and Moses Dow. There were ninety-one members of the House of Representatives.

On the following day an election sermon was preached in the church by the Rev. Samuel McClintock<sup>1</sup> of Greenland, by vote of the General Court; a custom thus begun continued many years. The sermon on this occasion was one of remarkable interest and breadth of thought. It was printed in full, and from a copy the following words are selected:

The present glorious revolution in this land affords a striking proof of the truth we are considering. The divine hand hath been so signally displayed in the events and occurrences which have led to it, that those who are not convinced of the government of providence over the affairs of nations by what has passed before them in these late years, would not have been persuaded if they had been eyewitnesses of the mighty works which God wrought in the midst of his peculiar people. For though the events were not strictly miraculous, yet they were truly marvellous, and so circumstanced, that they never can be rationally accounted for without admitting the interposition of providence. The greater the disproportion between the means and the effect, the more evident is the divine power: And surely there has seldom, in any case, been a greater disproportion between the means and event, than in the present one. Hardly any people were ever less prepared to enter the lists with such a great and powerful nation. War was not our object or wish: on the contrary, we deprecated it as a dreadful calamity, and continued to hope, even against hope, that the gentler methods of petitioning and remonstrating might obtain a redress of grievances. The war on our part was not a war of ambition, but a justifiable self-defence against the claims of an arbitrary power which was attempting to wrest from us the privileges we had all along enjoyed, and to subject us to a state of abject servitude. In this light it was viewed by the nations of Europe, and even by some of the most illustrious characters in both houses of the British parliament, who, in their public speeches, have justified our resistance, and acquitted us from the guilt of the blood that has been spilt.

It was after we had been treated with repeated insults and injuries—after our dutiful petitions had been rejected with contempt—after the British administration had held up the high claim of authority to make laws, binding us in all cases whatsoever, the plain language of which was, we have authority and power to do with you as we please and if you will not quietly submit, and deliver up your earnings to support us in our luxury and extravagance, and be hewers of wood and drawers of water for us, we will lay

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<sup>1</sup>He was born in 1732, son of William McClintock, who came from Londonderry, Ireland, with the Scotch-Irish emigration of 1718. He was educated at Princeton College, whence he later received the degree of Doctor of Divinity. He was chaplain at the Battle of Bunker Hill and was kneeling in prayer for the patriots while the battle raged. Trumbull has painted him in his great picture of that battle. Three of his sons became officers and laid down their lives in the Revolution. He died in Greenland, April 27, 1804, aged seventy-two, in the forty-eighth year of his ministry.

waste your country with fire and sword, and destroy you from under heaven—It was after the sword had been drawn, and blood shed on the plains of Lexington, and on the fatal Bunker-hill, so that no alternative remained, but either absolute submission or open resistance—It was, I say, after all this, that the representatives of the people in Congress chose the latter, declared for Independence, and relying on the justice of their cause, and the aid of the Almighty, resolved to support it by force of arms.—At that time our contest with Britain appeared, from a consideration of the difference between their circumstances and our's, as unequal as that between the stripling David and the giant of Gath; and the improbability of our success as great, as that he with a sling and stone should overcome that proud and mighty enemy, clothed with armour from head to foot.

They were men of war from their youth. They had regular troops, used to service, who had signalized their valor on the plains of Minden and the heights of Abraham, commanded by able, experienced generals, amply furnished with all the terrible apparatus of death and destruction, and aided by mercenary troops, who had been bred to arms, and were versed in all the stratagems of war—add to this, they had a navy that ruled the ocean and regular resources to supply their demands—on the other hand, we were inexperienced in the art of war, and had neither disciplined troops, nor magazines of provision and ammunition, nor so much as one ship of war to oppose to their formidable fleets, nor any regular resources, nor even so much as the certain prospect of any foreign aid—besides, all the civil governments were dissolved, and the people reduced back to a state of nature, and in danger of falling into anarchy and confusion. From this comparative view of their strength and our weakness, to what can our success be ascribed but to that omnipotent hand which directed the stone from the sling? The several steps which led to this great event cannot be rationally accounted for from any other cause. Among these the general union of the people throughout these states is not the least remarkable.

\* \* \* By this revolution we are not only delivered from the calamities of a long, expensive and bloody war, but we may now sit quietly under our own vine and fig-tree, without any to make us afraid, and every man is left at full liberty to pursue the means of opulence and happiness, without the danger of being deprived of the fruits of his industry by the hand of rapine and violence, which is ever the case of those who are either the subjects of arbitrary power or exposed to the ravages of war. By this revolution the rights and privileges of men in a state of civil society are secured to us; and we have the precious opportunity, which few nations have ever enjoyed, to take up government on its first principles and to choose that form which we judge best adapted to our situation, and most promotive of our public interests and happiness. America seems like a young heir, arrived to mature age, who, being freed from the restraints of tutors and governors, takes the management of his estate into his own hands, and makes such laws for the regulation of his domestic affairs, as he judges will be most conducive to establish peace, order and happiness in his family.

This sermon was delivered before the officers of State, the legislature, a large gathering of ministers and many of the citizens of Concord, who had marched in solemn procession at the sound of music to the church. After the sermon a dinner was given at the expense of the State.

When the belief fully possesses the mind, that God governs in all events, it is easy to trace the movements of His hand to produce the desired outcome. When the unexpected happens, as it almost always does; when history rolls up inexplicable events before us to wonder at; when apparently intricate and complicated plans are offered for our solution; when the prayers of millions seem to be answered; when justice triumphs over wrong and oppression; when national sins are succeeded by defeats and downfall; then our faith in a Being of infinite wisdom, love and power obliges us to discern the orderings of Providence. Thus the illuminated have always seen God in history. The argument is not convincing to the unbelievers, but it is a mighty source of comfort and strength to the many. Religious faith is one of the most powerful assets of a nation. Whether it be founded on truth or error, it unites the people in strong endeavor; it awakens and sustains a militant hope; it hails victory from afar. Such faith in a righteous Ruler of the nations possessed the souls of our forefathers and helped greatly to win our independence of Great Britain.

The Journals of the Senate and House of Representatives of New Hampshire in the years immediately following the adoption of the State Constitution contain very little to engage the attention of the historian or to awaken interest in the general reader. The legislators were busy about taxes, confiscations, imposts, excise, abatements, currency and money matters in general. They sought a return of prosperity through legislation and found that it could be obtained only by industry, economy, agriculture and manufactures. The militia organization was kept up for many years; the whole country kept prepared for assaults of Indians or invasions from abroad, as well as a nation crippled in finances and exhausted by a long war could. A few new towns were incorporated. Highways were encouraged, to better unite the State and facilitate trade. The first milestone of progress was set up in the adoption of the Federal Constitution in 1788.

The proposed Constitution of the United States was signed by the delegates to the convention that formed it on the seventeenth of September, 1787. The State convention for its ratification met at Exeter on the thirteenth day of February 1788. Already six States, Delaware, Pennsylvania, New Jersey, Georgia, Connecticut and Massachusetts, had ratified it. Virginia and New York were debating it and both were expected to vote against it, especially New York. One hundred and thirteen delegates were present, representing one hundred and seventy-five towns and places and a population of about one hundred and thirty-four thousand. Among the delegates were John Langdon of Portsmouth, who had been a member of the national convention that framed the Constitution and was one of its staunch supporters, John Pickering and Pierce Long of Portsmouth, John Taylor Gilman of Exeter, Rev. Samuel Langdon of Hampton, Josiah Bartlett of Kingston, signer of the Declaration of Independence, John Sullivan of Durham, Joseph Badger of Gilman-ton, John Calfe of Hampstead, Joshua Atherton of Amherst, Ebenezer Webster of Boscawen, Benjamin West of Charlestown, Samuel Livermore of Holderness, Elisha Payne of Lebanon, Benjamin Bellows of Walpole, Dr. Ezra Green of Dover, Rev. William Hooper of Madbury, and others of distinction. The ablest men of New Hampshire were assembled. John Sullivan was chosen permanent president and John Calfe secretary. The two parties that had already begun to be formed were known as Federalists and Anti-Federalists. The leaders of the first party, who favored the adoption of the Constitution, were John Langdon, John Sullivan, Samuel Livermore, Josiah Bartlett, John Taylor Gilman, John Pickering, Benjamin Bellows and Rev. Samuel Langdon; the leaders of the opposition were Joshua Atherton, Joseph Badger, Rev. William Hooper and others whose names are not so well known. Some wanted a religious test in the Constitution, but the strongest objection was to the twenty years sufferance of the slave trade. The discussion continued for ten days. The opinions of some were changed from opposition to favor, yet they felt bound to vote for their constituents. When it was perceived that a majority could not then be obtained for the Constitution, an adjournment was sought, to give opportunity for a change of mind through public discussion, and this was effected by a vote of fifty-six to fifty-one.

The adjourned convention met in the meeting house at Concord on the eighteenth day of the following June. Meanwhile Maryland had adopted the Constitution, followed soon by South Carolina. Nine States were required to ratify it, and New Hampshire was the ninth to vote thereon. The whole country awaited the decision. Its rejection, it was thought, would unfavorably influence the remaining States, although Virginia actually adopted the Constitution before its convention heard of the decision of New Hampshire. Between February and June almost every household in the State had a prolonged discussion of the proposed Constitution, and every flaw in it was pointed out, while its excellencies were magnified. The newspapers published everything that could be said for and against it. Its adoption by two more States helped the cause of the Federalists. Private citizens from distant parts of the State flocked to Concord and filled the galleries of the meeting house. It is unfortunate that the eloquence of the occasion has not been preserved in print, save the short address of Joshua Atherton, heretofore cited. He offered several amendments and urged that the Constitution should be adopted conditionally, if such amendments were incorporated in it. Judge Samuel Livermore, on the other hand, moved that the Constitution be adopted and that the amendments offered be recommended to the national convention. After four days of deliberation and, doubtless, private canvassing of votes, a decision was hazarded, with the result that fifty-seven voted for it and forty-seven against it, while four members of the convention were recorded as not voting, among these being the father of Daniel Webster, although he was afterwards a strong supporter of the Constitution. Rockingham and Grafton counties were strong in its adoption. The south-western part of the State voted against it. The roll call was a moment of breathless interest, for the fate of a nation was in the balance. Judge Livermore broke the tie, after which Grafton county rolled up the needed majority. The news was quickly sent to New York by special messenger, at the request and expense of Alexander Hamilton. Its adoption was celebrated in the principal towns of New Hampshire with becoming festivities. A matter of great magnitude and far-reaching consequences had been settled, and the burden of suspense and

anxiety was lifted. A formal announcement to the United States Congress was transmitted in the following words:

#### STATE OF NEW HAMPSHIRE.

In Convention of the Delegates of the People of the State of New Hampshire, June 21st, 1788:—

The Convention having impartially discussed and fully considered the Constitution for the United States of America, reported to Congress by the Convention of Delegates from the United States of America, and submitted to us by a Resolution of the General Court of said State passed the fourteenth day of December last past, and acknowledging with grateful hearts the Goodness of the Supreme Ruler of the Universe in Affording the People of the United States, in the course of his Providence, an opportunity, deliberately and peaceably, without fraud or surprise, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new Constitution, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare and secure the blessings of Liberty to themselves and their posterity, Do in the name and in the behalf of the people of the State of New Hampshire, assent to and ratify the said Constitution for the United States of America; and as it is the opinion of this Convention, that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this State, and more effectually guard against an undue administration of the federal government, the Convention Do therefore recommend that the following alterations and provisions be introduced into the said Constitution:

First, That it be explicitly declared that all powers not expressly and particularly delegated by the aforesaid Constitution are reserved to the several States to be by them exercised.

Secondly, That there shall be one Representative to every thirty Thousand persons according to the Census mentioned in the Constitution, until the whole number of Representatives amounts to two hundred.

Thirdly, That Congress do not exercise the power vested in them by the Fourth Section of the first Article, but in cases when a State shall neglect to make the regulation therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, nor shall Congress in any case make regulations contrary to a free and equal representation.

Fourthly, That Congress do not lay direct Taxes but when the money arising from the impost excise and their other resources are insufficient for the public exigencies; nor then, until Congress shall have first made a requisition upon the States to assess, Levy and pay their respective proportions of such requisition agreeably to the census fixed in the said Constitution, in such way and manner as the Legislature of the State shall think best, and in such case, if any State shall neglect, then Congress may assess and Levy such State's proportion, together with the interest thereon at the rate of

six pr. cent pr. Annum from the time of payment prescribed in such requisition.

Fifthly, That Congress erect no company of Merchants with exclusive advantages of commerce.

Sixthly, That no person shall be tried for any crime by which he may incur an infamous punishment or loss of life until he first be indicted by a grand jury—except in such cases as may arise in the government and regulation of the land and naval forces.

Seventhly, All common law cases between citizens of different States shall be commenced in the Common Law Courts of the respective States, and no appeal shall be allowed to the federal Courts in such cases, unless the sum or value of the thing in controversy amount to three hundred dollars.

Eighthly, In civil actions between citizens of different States, every issue of fact arising in actions at common law shall be tried by a jury if the parties or either of them request it.

Ninthly, Congress shall at no time consent that any person holding an office of trust or profit under the United States shall accept a title of nobility or any other title of office, from any king, prince or foreign State.

Tenthly, That no standing army shall be kept up in time of peace, unless with the consent of three fourths of the members of each branch of Congress; nor shall soldiers in time of peace be quartered upon private houses without the consent of the owners.

Eleventhly, Congress shall make no Laws touching religion or to infringe the rights of conscience.

Twelfthly, Congress shall never disarm any citizens, unless such as are or have been in actual rebellion.

And the Convention do, in the name and in behalf of the people of this State enjoin it upon their Representatives in Congress, at all times, until the alterations and provisions aforesaid have been considered, agreeably to the fifth article of the Said Constitution, to exert all their Influence and use all reasonable and legal methods to obtain a ratification of the said alterations and provisions in such manner as is provided in the said article.

And the United States in Congress Assembled may have due notice of the assent and ratification of the said Constitution by this Convention:—

It is Resolved, That the assent and ratification aforesaid, be engrossed on parchment, together with the recommendation and Injunction aforesaid, and with this Resolution: and that John Sullivan, Esqr., President of Convention; and John Langdon, Esqr., President of the State, transmit the same countersigned by the Secretary of Convention and the Secretary of State under their hands and seals, to the United States in Congress assembled.

JOHN CALFE, Secretary.

Such is the story in brief of New Hampshire's part in the adoption of the federal Constitution.<sup>2</sup> The amendments recom-

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<sup>2</sup> See The New Hampshire Federal Convention, by Joseph B. Walker,

mended were, with some additions, the same as those recommended by Massachusetts shortly before, and it has been conjectured that James Sullivan of Massachusetts sent them to his brother, John Sullivan, the President of the Convention. The Federal Constitution, as thus ratified, was, like all similar instruments, a compromise, what the majority were willing to accept, even if it did not fully express their wishes. Many think that it should have been radically and thoroughly revised before this time, but the dead hand holds us with wonderful tenacity, and an old formula of political, or of religious faith, is hard to change. Many prefer to retain the form of words and to read into them, from time to time, the meaning that changed conditions require. Thus interpretation is of more value than the exact letter of the law. The effort of judicial interpreters should be, and often is, to ascertain what is right and just, what ought to be now, and then hunt for precedents and devise possible and permissible interpretations to suit present needs. Perhaps this is best, for a new and revised Constitution would still be capable of many interpretations, especially as words and phrases take on new meanings with the lapse of years. That eternal Law, which is higher than any Constitution devised by human minds, ought ever to rule in the interpretation and application of any rules of conduct laid down for individuals and nations. In other words, the Constitution of the United States, or of New Hampshire, should be accepted by its citizens "for substance of doctrine," without unyielding adherence to the letter that killeth. The spirit of American constitutions is the spirit of liberty, with due regard to the rights of all. In practice those rights have not always been respected, and no change of the letter of a constitution will work the needed reform. The reform must be in the character of individuals and hence of society.

The constitution of 1784 made possible its own revision after a lapse of seven years, if the people voted in favor of it. Accordingly a fourth constitutional convention assembled in Concord on the seventh of September 1791. The place of assembly was the old meeting house. The whole number of delegates was one

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1888, and article in the *Granite Monthly* for 1888, by William F. Whitcher, Vol. XI., pp. 203-209; also Address of Hon. James W. Patterson on the Centennial Anniversary of the Ratification of the Federal Constitution by New Hampshire, in *Proceedings of the N. H. Hist. Society*, II., pp. 12-37.

hundred and eight. Judge Timothy Walker was temporary chairman, and John Calfe was chosen secretary. Samuel Livermore of Holderness was elected president of the convention, and the Rev. Israel Evans, who had been a chaplain in the Revolutionary war and was then minister of the church in Concord, officiated as chaplain of the convention. Four sessions were held during a period of one year, occupying thirty-six days. The convention concluded its work on the sixth of September 1792 and the amended constitution became the fundamental law of the State in June 1793. The amendments, in the form of seventy-two questions had been submitted to the people for voting thereon. Forty-six of them were adopted, and twenty-six rejected. This necessitated a revision and resubmission to the voters, since some of the amendments adopted depended upon others rejected. The new draft of the constitution was accepted by the people and remained in force till 1850, when only one amendment was made therein, abolishing property qualifications for the governor, senators and representatives of the State. The convention of 1791-2 changed the title of the chief executive from President to Governor, revising the action of a previous convention.

The Journal of this convention does not report any of the debates, and its statements are bare of interest. Among the members of the convention appear some well known names and some afterwards became well known. The man of widest influence was William Plumer of Epping, whose biography, written by his son of the same name, gives the best report of the convention. The leading men were John Pickering, Gen. Joseph Cilley, John McCleary, Abiel Foster, Nathaniel Peabody, Ebenezer Thompson, Joshua Atherton, Samuel Livermore, men who had been prominent in military and political affairs and were the tried and trusted advisers of the State. The men who were coming into prominence were William Plumer, Edward St. Loe Livermore, Jeremiah Smith, Elisha Payne, Thomas Cogswell, Christopher Toppan, Col. Nathaniel Head, Major Benjamin Pierce and others of local fame.

Mr. Plumer proposed an amendment to secure to every person "the inestimable privilege of worshipping God in a manner agreeable to the dictates of his own conscience." Heretofore all persons had been obliged by law to attend public worship

on Sunday or pay a fine for absence, and they were also compelled to pay taxes for the support of the orthodox, or Congregational, church, which was the established church of New England. Mr. Plumer's design was to do away with all compulsion in matters of religion and to leave everybody free to be a Protestant, Quaker, Roman Catholic, or Deist, if he so chose. Religionists of a definite type can not be made to order. Thinking beings must have liberty to change their minds on evidence, and a change of mind necessitates a change of conduct in the conscientious. Mr. Plumer's motion was in the interests of a larger freedom. A motion was made in opposition, subjecting all the inhabitants of the State to a town tax for the support of the clergyman whom the majority of voters, in each case, should select as minister. This would abolish the fundamental principle of Protestantism, the right of private judgment in matters of faith and morals. The debate in favor of the voluntary principle in religion or of the involuntary, as embodied in civil law, was animated then and it has been going on ever since, leaning more and more toward license and laxity. The tendency toward irreligion comes from the abuse of freedom. Protestants have become too independent, too careless and disrespectful of the opinions and convictions of others, too unwilling to cooperate in good works with those of opposite desires and views. Yet we can not help feeling that William Plumer was right, though the convention voted down both proposed amendments. The Quakers had long escaped taxation for the support of orthodox ministers. The Baptists soon claimed and were accorded the same privilege, and almost countless denominations have followed their lead. There are now one hundred and eighty-six in the United States, and new denominations are springing up every year. A little religious learning is a dangerous thing, and the only remedy is either the bliss of ignorance or to drink deeper of the Pierian spring. It is impossible to make a person good by compulsion, and unless religion leads to improvement of character, irreligion were better.

A motion, made by Mr. Plumer, to abolish the religious test for office holders, who were required to be "of the Protestant religion," was adopted by the convention and rejected by the people. This test had been adopted by England and trans-

ferred to the colonies, when Roman Catholicism was more feared than now, when indeed both Protestantism and Roman Catholicism were different from what they are now in America. We have learned to live together in peace and unitedly to seek the nation's highest good.

Mr. Plumer tried to introduce a new system of representation, increasing the number of state senators and diminishing the number of representatives, by dividing the state into sixty districts and basing representation upon population. But then as now each small town wanted to have its legislator in the House, and the number of senators has remained disproportionately small.

Another attempted reform was the lessening of the number of courts, thus decreasing litigation. "A suit, commenced before a Justice of the Peace, might be carried to the General Sessions, thence to the Common Pleas, thence to the Superior Court, and thence to the Legislature; to be by that body sent back to the Superior Court for final decision, with the further chance of a new trial on a writ of review. Add to this, that the verdict might be repeatedly set aside by the court, and that the disagreement of the jury often prevented any verdict being rendered; and it will readily be believed that suitors seldom got what the bill of rights promised them,—'Justice freely, without being obliged to purchase it; completely, without denial; and promptly, without delay.' " As a remedy for these evils it was proposed to abolish the courts of common pleas and general sessions, and to extend the jurisdiction of Justices of the Peace to sums not exceeding four pounds,—the very thing which has been recently done in England, where for a fee of fifty cents small debts can be collected by the decision of a judge who has heard both sides of the case, and his decision admits of no appeal. But lawyers then were as loath as now to limit litigation and the effect of the proposed amendment would have thrown twenty judges out of office, the strongest arguments that could have been brought against it. Therefore it failed, while the power of Justices of the Peace was increased, which made them more respectable, wealthy and happy. Before this it had been proposed in the General Court of New Hampshire that attorneys at law should not be eligible to seats in the General Court,

that is, that lawyers should not make the laws they are sworn to administer justly and faithfully. The motion was lost. For a long time, perhaps now, in proportion to their number in the State, more lawyers have been members of successive legislatures than men of any other profession by far, and it is not, many think, because they know how to make better laws. They seem to have leisure, and by mixing politics with law they often get ahead faster in both. Lawyers, ministers, doctors and military officers were then the educated men of the State. The agricultural colleges and schools of mechanic arts are now turning out men that will give farmers and artisans larger representation among the law-makers, and the State will not suffer therefrom. William Plumer lived away ahead of his times and therefore had his opponents. He was the sole survivor of the convention of 1791 when the next constitutional convention was held, in 1850. Judge Livermore said of him, "He was by all odds the most influential man in the convention; so much so, that those who disliked the results, called it Plumer's constitution, by way of insinuating that it was the work of one man, and not the collective wisdom of the whole assembly." Plumer at the same time was Speaker of the House of Representatives. One clause in the constitution he always claimed the credit of inserting, "No member of the General Court shall take fees, be of counsel, or act as advocate in any cause before either branch of the legislature: and upon due proof thereof such member shall forfeit his seat in the legislature."



## Chapter X

### STORY OF THE SEALS



## Chapter X

### STORY OF THE SEALS.

First Seal of the Province, Sent to President John Cutt—Description of the Same—Seal Sent to Edward Cranfield—Seal Used by Joseph Dudley as Governor of Massachusetts and New Hampshire—New Seal, Authorized in 1692, never Used—This May Be the Seal or Die now Owned by the New Hampshire Historical Society—The Earl of Bellomont Brings a New Seal—Queen Anne Sends a Seal in 1705 and Another in 1709—She Changes the Motto to SEMPER EADEM—George I Restores the Old Motto, DIEU ET MON DROIT—Long Title of the Georges—Temporary Seal of the Colony of New Hampshire—Seal of the State of New Hampshire, 1776-1784—Seal from the Adoption of the Constitution, 1784, to the Present Time.

HERE may be the proper place to say something about the seals of New Hampshire as a colony and as a state. When New Hampshire was separated from the government of Massachusetts and John Cutt was appointed President, with a Council, a seal was prepared and sent to him. The following is the order in the King's Council, dated 19 September, 1679:

Whereas His Majestie has thought fit by His Royall Commission Dated the 18th of September 1679 to constitute and appoint a President & Council for the ordering and ruling that part of the Province of New Hampshire lying from three miles Northward of Merrimack River unto the Province of Maine in New England; and whereas the said Council is thereby directed to have and use from time to time such Seale only for the Sealing their Acts & Orders and Proceedings as His Majesty should please to send unto them, It is this day ordered in Councill, that the Seale herewith sent (an Impression whereof is in the margin affixed) bee taken and acknowledged in the said Province of New Hampshire as the Seal appointed by his Majesty and that the same bee affixed unto all publick Acts, Orders and Proceedings within the said Government And that it be to all intents and purposes of the same force and validity within the said Province as any other His Majesty's publick Seales in Barbados, Jamaica, Virginia or any other of His Majesty's Plantations in America. And His Majesty's said President and Council of New Hampshire is hereby authorized and directed to keep, and apply the same to the said uses And whereas His Majesty is graciously pleased to send His Royal Portraiture together with his Imperial Armes unto His said President and Councill of New Hampshire as a mark of His Royall

favour and Protection to the Inhabitants thereof, It is hereby ordered that the same bee kept and exposed to view within such place as shall be appointed for the meeting of His Majesty's said Council—See No. 176 of Mss. copied from the English Archives in the library of the N. H. Hist. Society.

The character of this seal we learn from a record made on this side of the water. At a meeting of the Provincial Council held in Portsmouth, October 4, 1682, Edward Cranfield produced his commission as Lieutenant-Governor and Commander in Chief of New Hampshire. The Secretary made the following record:

The old seal of the Province having this Inscription, *Sigillum Præsidentis et Consilis de Provincia Novae Hamptoniae in Nova Anglia*, was by the Governor demanded (as directed by the said Commission) & delivered up to him by the late President Richard Waldron esquire And a new one of Silver brought by the Governor having these words around it, *Sigillum Provinciae Nostrae Novae Hamptoniae in Nova Anglia*, was shown and is to be kept & in custody of the Governor.—N. H. State Papers, XVII. 563.

The inscription as given by the secretary in incorrect Latin may be questioned. He probably tried to expand certain Latin abbreviations, as he certainly did in reporting the inscription on the new seal. The inscription on the seal used by President Cutt and Council probably was SIG : PRAESID : ET : CONCIL : DE : PROVIN : NOV : HAMPTON : IN : NOV : ANGLIA. The preposition DE was probably in the inscription, or the secretary would not have unnecessarily put it in, but would have used the better genitive. There were too many letters in the expanded Latin to inscribe them all upon the seal. In subsequent seals, when more letters were needed, the diameter of the seal was increased. An impression of the old seal of the President and Council, on a paper dated 22 January, 1679/80, is preserved in the first volume of the Council Book, page 40, in red wax, and may be seen in the office of the Secretary of State. The outer inscription and rim are worn away, but the field, or central part of the seal, has the Arms of Great Britain, surrounded with the garter bearing the motto, *Honi soit qui mal y pense*. Above is the royal crown. The lion and unicorn appear as supporters, and below is the motto, that dates from the time of Richard the Lion-hearted, DIEU ET MON DROIT.

The new seal, brought and used by Edward Cranfield, differed only in the inscription on the collar. At least one impression of it remains in the office of the Secretary of State. It is affixed to a paper dated 10 May 1684. A careful inspection of it and comparison with other seals show that it is not in the expanded Latin reported by the secretary of the Council, but is SIG: PROVIN: NRAE: NOVAE: HAMPTON: IN: NOV: ANGLIA. See Council Book I, p. 97.

On the death of Charles II, February 6, 1685, Joseph Dudley was appointed President of New England, and he used an appropriate seal, which is found, as a printer's reproduction, on a printed collection of laws, dated June 10, 1686. It is somewhat oval in shape and bears a front view of an erect Indian, having an arrow at his right and a bow at his left hand. Two wreaths surround it, and between the wreaths is the inscription, SIGILUM, PRAESID. & CONCIL. DOM. REG. IN. NOV. ANGLIA, Seal of the President and Council of the King's Dominion in New England.

There was, of course, no seal for New Hampshire, while Sir Edmund Andros was governor of all New England and New York. After William and Mary were seated on the throne of Great Britain, in 1688, Samuel Allen was appointed Governor of New Hampshire, in 1692, and the province was separated from Massachusetts finally. John Usher was his Lieutenant Governor, and in the absence of Allen acted as Governor several years. A new seal was authorized on the 29th of July 1692, and at the same time a report was made concerning the seal and records of New Hampshire. A copy of it has been obtained from the office of the Lords of Trade and Plantations, in London, and it is Number 617 of the Manuscripts recently copied from the Archives of England:

My Lord President is desired by the Lords of the Committee of Trade and Plantations to present to Her Majesty in Councill a Seal prepared by their Lordships approbation for her Majesty's allowance that the same may be made use of as the Publick Seal of the Government in their Majesty's Province of New Hampshire.

And to move her Majesty that the Publick Records which were removed to Boston from that Province when the same was annexed to the Government of New England may be ordered to be delivered to the Governor of New Hampshire or such as shall be appointed by him to Receive the same to be brought back to remain in that Province as formerly.

Here a new seal is mentioned as prepared in 1692 and it was approved by Queen Mary 9 August, 1692, yet John Usher all through his administration, from 1692 to 1698, used the old seal of the Province that had been brought over and used by Edward Cranfield. Numerous impressions are in existence. There is no record that the seal prepared in 1692 was ever received by the governor of New Hampshire, or that the old seal was destroyed at that time. The inference is that the seal prepared in 1692 never reached its destination, and there has been found no impression from any seal of that date.

The New Hampshire Historical Society has in its possession a silver die which is the subject of an address delivered before the Bostonian Society, June 12, 1888, by James Rindge Stanwood. It was published in book form. The die weighs three ounces and is one and thirteen sixteenths inches in diameter and a quarter of an inch thick. In the papers of New Hampshire there is no mention of it, and no impression of it has been found. The letters and devices are sunken. It bears the shield of Great Britain, crested with the royal crown and the ribbon of the garter surrounds it, not precisely in the form of a circle. The French mottoes are as in former and subsequent seals. The peculiarity of it is, that the lion and unicorn as supporters do not appear, and in their stead, "Outside the shield, upon either side, in script, appears the monogram of William and Mary, and two capital letters R entwined, standing respectively for the Latin *Rex* and *Regina*." The Latin inscription upon the collar is precisely the same as in the seal brought by Cranfield, SIG: PROVIN: NRAE: NOVAE: HAMPTON: IN: NOV: ANGLIA.

This silver die was in the possession of the Getchell family of Newbury half a century ago. If it ever was in use, it should have been destroyed when a new one took its place. The truth is, that it was never used as a province seal, and therefore it could be preserved. It may have been sent and lost on the way, and for such a reason the old seal of Cranfield's time was used till a new seal was sent over with the Earl of Bellomont.

Mr. Stanwood simply conjectured that the die now in the possession of the New Hampshire Historical Society must have been in use from 1692 to 1694, and that a change in seal was

occasioned by the death of Queen Mary at the latter date. He found no illustration of the supposed fact. He fancied that the Charter of New Castle, granted in 1693, must bear the impression of the preserved die, but evidently did not examine the charter. Mr. John Albee, in his History of New Castle, printed the charter and immediately after it he printed a seal, which one would suppose to be the seal of the charter, but it is not. It is a representation of the later seal, sent over, with Bellomont, in 1699.

A meeting of the Council and General Assembly held at Portsmouth August 15, 1699, made the following record:

His Excellency the Earl of Bellomont produced a former Great Seale of this Province, which he received this day from the hands of Samuel Allen Esquire, late Governor, and which he caused to be cut in two and defaced, pursuant to His Majesty's warrant, bearing date the tenth day of Jan'y, 1699, in the tenth year of His Majesty's Reign; and the silver of the said former Seale His Excellency hath delivered to the Secretary, to be restored to Samuel Allen, aforesaid.

His Excellency doth also deliver to Wm. Partridge Esquire Lieutenant-Governor, a new Great Seale, lately sent to his Excellency from England; and orders that the Secretary do enter His Majesty's warrant in the Council Book, authorizing and commanding the use of the said Seale within His Majesty's Province; which warrant bears date as aforesaid.—N. H. Prov. Papers, III., 80.

In the king's warrant the seal is described as "engraven with our Arms, Garter, Supporters, Motto and Crown; with this Inscription around the same: SIG: PROVINCIAE: NOSTRAE: DE: NOV.: HAMPTONIA. IN. AMERIC." The first use of this seal that is found in the original documents, in the office of the Secretary of State of New Hampshire, was made by the Earl of Bellomont, August 17, 1699, only two days after its delivery. It was used on papers signed by Lieutenant-Governor William Partridge and by Governor Joseph Dudley. The introduction, in the inscription, of corrupted Latin, the preposition DE followed by the ablative instead of the genitive without any preposition, is noticeable, and it is omitted in the next seal and the genitive is restored. In the instructions to the Earl of Bellomont it was ordered that former seals be defaced and broken.

Queen Anne began her reign in 1702 and May 3, 1705 she sent instructions to Governor Joseph Dudley as follows:

With this you will receive a Seale prepared by our order for the use of the Government of New Hampshire; which Seale is engraven with the Arms, Garter, Supporter, Motto and Crown, with this Inscription Round the Same, SIG: PROVINCIAE: NOSTRAE: NOVAE: HAMPTONIAE: IN: AMERIC. \* \* \* Former Seals are not to be further made use off or affixed to any publick Acts or Instruments whatsoever, but to be defaced and Broken.—Laws of N. H. Province Period, II., 31.

The broken parts were given to the Secretary to melt down, but on subsequent orders from the Queen, the parts were recovered and sent back to the Queen in Council, as Governor Dudley wrote to the Lords of Trade and Plantations,—No. 1362 of MSS.

This seal was nearly one fourth of an inch broader than former ones. The earliest impression preserved is upon a paper dated December 18, 1705. The special feature of this seal is the substitution of the motto, SEMPER EADEM for the motto, DIEU ET MON DROIT. The new motto adopted by Queen Anne was that of Queen Elizabeth, and Swift said that it meant "Worse and Worse," in Queen Anne's case.

There is a record of the Council at Portsmouth, dated August 14, 1710, as follows:

Her Majesties orders of the 29th October, 1709, relating to the former seal of this province to be Broke in Council and then to transmit the Same Soe Broken to the Commissioners [Commissioners for Trade and Plantation] was read at the Board, and the said Seal was accordingly Soe Broken in Council.—N. H. Prov. Papers, II., 610.

Then follows the order of Queen Anne, wherein it is said that the new seal is "Engraven with our Arms, Supporters, Mottoes and Crown, with this Inscription round the same: SIG. PROVINCIAE NOSTRAE NOVAE HAMPTONIAE IN AMERICA." The only difference between this and the former seal is that it adds the letter A to the final word, AMERICA, and a singular thing it is that such a seal is never used, but down to the end of Queen Anne's reign a seal such as she ordered in 1705 is used, without the final A. Indeed it is used till 1718. Why she should order a new one at that time is puzzling, except it were to add that final letter, and then it is more puzzling to tell why the new seal was precisely like the former one. It was not made according to order. The engraver miscalculated and did not have room to put on the last letter in

the inscription. The old seal may have become worn or defaced.

At a meeting of the Council in Portsmouth, June 26, 1718, the following record was made:

His Honor the Lieut. Governor produced and laid before this board a new Seal for this Prov: of New Hampshire with orders & instructions from his Majesty King George for using the same and for breaking the old seal in p'sence of the Councill, which was accordingly broken into two pieces at the same time.—N. H. Prov. Papers, II., 717.

This seal of George I, restored the motto, DIEU ET MON DROIT, and left out the SEMPER EADEM of Queen Anne. The rest remained the same, even to the AMERIC for America. Instead of pellets between the words of the outer inscription there is another device, somewhat like a rose.

On the accession of George II to the throne, in 1727, a new seal was ordered. The Council at Portsmouth recorded, under date of April 23, 1729, the following:

His Excellency [William Burnet] laid before the Board a New Seal with his Majesty's instruction for using the same & sending home the old one: ye Instruction bears the date of ye 29th Sept. 1728 & is on file.—N. H. Prov. Papers, IV., 535.

The seal then ordered appears on a paper dated April 15, 1729. It is two and three sixteenths inches in diameter. The A is added to form SIG. PROVINCIAE. NOVAE HAMPTONIAE. IN. AMERICA, and an outer circle is added with the following inscription, GEORGIUS. II. D. G. M. B. FR. ET. HIB. REX. F. D. BRUN. ET. LUN. DUX. SA. RO. IM. AR: THES. ET. ELECT, which means, in expanded Latin, Georgius II Dei Gratia Magnae Britanniae, Franciae, et Hiberniae Rex, Fidei Defensor, Brunswick et Luneburg Dux, Sacri Romani Imperii Arbiter Thesauri et Elector, and translated is George II by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Luneburg, of the Holy Roman Empire Lord of the Treasury and Elector. Concerning the last part of the title it is said, on good authority, that "in A. D. 1692 the Emperor Leopold I conferred a ninth electorate on the house of Brunswick-Luneburg, which was then in possession of the duchy of Hanover, and succeeded to the throne of Great Britain in 1714, and in A. D. 1708 the assent of the Diet thereto was obtained. It was in this way

that English kings came to vote at the election of a Roman Emperor."—The Holy Roman Empire, by James Bryce, D.C.L.

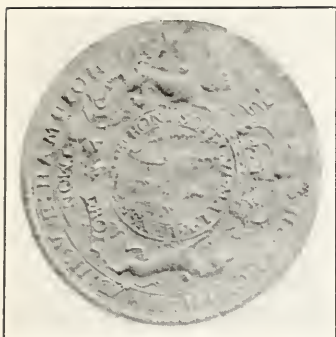
This seal, with the proper change for George III, remained in use till the time of the American Revolution. There is no record of its having been destroyed, and perhaps Governor John Wentworth carried it away with him.

When the Provincial Congress convened at Exeter, January 5, 1776, it voted to assume the "name, power and authority of a House of Representatives or Assembly for the Colony of New Hampshire." A new seal was shortly afterward adopted. It was simple and expressive. In the middle of the field was a bundle of five arrows, representing the five counties of the colony. On the right of the bundle was a pine tree and on the left was a cod-fish, these representing the leading industries, lumbering and fishing. Encircling these was a Latin motto and a name in English. The motto was VIS UNITA FORTIOR, power united (is) stronger. The circle was completed with the words, COLONY OF NEW HAMPSHIRE. The die was made of copper. It is a pity that the device and motto were not retained on the present seal.

This colony seal remained in use but a short time, for on the eleventh of September, 1776, the Council and Assembly assumed the "Name and Stile of the STATE OF NEW HAMPSHIRE." The seal thereafter adopted retained the device of the former but was enlarged to two inches in diameter, and the words on the collar were SIGILL: REI-PUB: NEOHANTONI. This seal remained in use till 1784. It is in the possession of the New Hampshire Historical Society.

The House of Representatives voted, June 12, 1784, that Hon. George Atkinson, John Pickering and George Gaines, together with a committee appointed by the Senate, should prepare a device and inscription for a seal of the State. Their report was adopted November 8, 1784, "that the device be a field encompassed with laurel, round the field in capital letters, SIGILLUM REIPUBLICAE NEO HANTONIENSIS, on the field a rising sun, and a ship on the stocks, with American banners displayed, and that said seal be two inches in diameter." The Senate concurred in this action.

In this report nothing is said about the date, 1784, that



SEAL USED BY GOV.  
CRANFIELD



UNUSED SEAL OF WIL-  
LIAM AND MARY



SEAL OF GEORGE II



SEAL NOW IN USE



appears on impressions of the seal in 1785 and ever after. The date was originally a little to the left of the top of the seal, between the beginning and the end of the encircling inscription. Now it is at the bottom of the seal, with the inscription moved around to accommodate this change. When the change was made and by what authority has not been learned.

It is noticeable that the word HANTONIENSIS is the proper adjective from the old Latin name, found in the Domesday Book of William the Conqueror, *Hantesshire*. Several conventional forms of the present State seal are in use by printers, with variations of the rising sun, and some having a ship of a different form, with workers employed in a shipyard. The conventional form appears on printed Proclamations of Thanksgiving, etc.<sup>1</sup> A statute which shall definitely fix every character and device on the seal is under consideration.

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<sup>1</sup> In the preparation of this sketch of the seals of New Hampshire the author has been greatly helped by Miss Etha L. Sargent, assistant in the office of the Secretary of State, who has made a careful study of the impressions made on Colony and State papers preserved in that office.



## Chapter XI

### SOME FOUNDERS OF THE STATE



## Chapter XI

### SOME FOUNDERS OF THE STATE.

The Lives of Saints and Heroes Should Be Idealized—To Know Their Faults Is neither Interesting nor Profitable—Governor John Langdon—Judge Woodbury Langdon—Judge Samuel Livermore—Governor John Taylor Gilman—Senator Nicholas Gilman—General Nathaniel Peabody—Colonel Tobias Lear—Hon. John Samuel Sherburne—General Benjamin Bellows—Senator Simeon Olcott—Hon. Christopher Toppan—Hon. Amos Shepard—General Joseph Badger—Governor William Plumer.

IT is the asserted purpose of some biographical writers to present portraits of men as they were, in light and dark shades, to set forth their defects and foibles, and even their sins, as well as their attractive and excellent traits of characters. This harmonizes with that school of art that copies nature, with all its deformities. A better school of art idealizes nature and pictures the real as it would be under perfect conditions. Thus a purified and exalted imagination adds much to beauty wherever it is found.

There were, doubtless, defects and imperfections of character in the lives of all the great men who inspire us. History has rightly omitted to record them. We do not wish to look upon and contemplate the faulty and vicious. When the faults of a good man are paraded, they are as likely to be copied as his virtues. Few have any interest in "The Real George Washington," and prefer not to know his defects. Patriotic love and gratitude idealize the heroes and benefactors of the past, and anything said against them, however true, sounds like insult offered to a relative or friend. Therefore it is best to speak only good of the dead, unless moral condemnation is needed to caution the living.

In defense of defective realism it is often said that the characters of our Bible are painted with their many faults and sins. That is not true of all, and the deeds of some patriarchs and kings, that we now consider sinful, were not thought to be

such by the writers of their times. Some affect to be pleased with the portrayal of the ungodly conduct of the saints, as proofs that they, too, were "human," just like ourselves,—as though anybody could ever doubt it. Are we loth to acknowledge that some have been much better than we are? Do we want the saints and heroes brought down to our level?

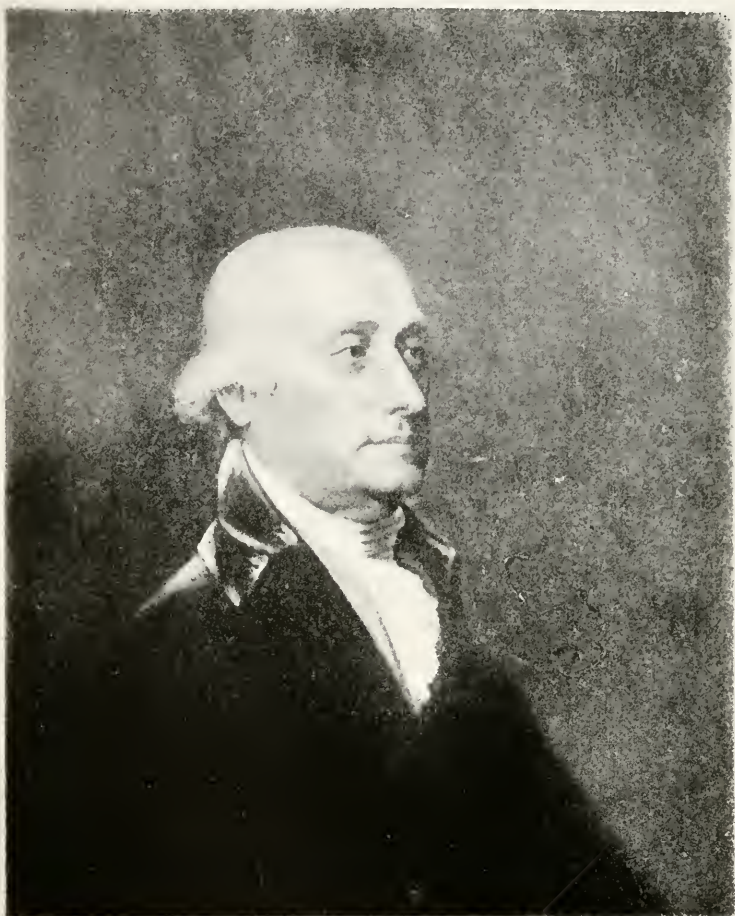
Many biographical sketches are found in the manuscripts of Governor William Plumer, some of which have been printed. Sometimes he tells too much, and sometimes we are led to suspect that personal and political prejudices distorted the mental vision of the writer. He is niggardly in the bestowal of praise in some cases and neutralizes the good he has said by some words or narration of an incident, the truth or interpretation of which is open to doubt. Adverse criticism of public deeds is of great value, but to expose the disagreeable and reprehensible traits of private character yields no pleasure nor profit.

In the condensed sketches that follow the salient facts in certain lives are stated, so far as they affected the history of New Hampshire. Any excellencies of character are held up for imitation, that "we may make our lives sublime." Not all the good and great of the past are here mentioned. There are a host of the unrecorded, flowers "born to blush unseen," crowded out of history by unavoidable limitations.

#### JOHN LANGDON

From the beginning of the Revolution to the end of the eighteenth century no man in New Hampshire was more popular and influential than John Langdon. He was born June 26, 1741, in Portsmouth, in a house called a garrison house, near the head of Sagamore Creek. He was of the fourth generation from Tobias Langdon, who settled there before 1660, having married Elizabeth, daughter of Henry and Rebecca (Gibbons) Sherburne. This ancestor probably came from Cornwall, England. Through his mother, Mary Hall of Exeter, the descent of Governor Langdon is traced to Governor Thomas Dudley of Massachusetts and so back to William the Conqueror and Alfred the Great, but to be possessed of a royal spirit is far better than to prove royal descent, and Langdon had that, as all admit. His education was in the public grammar school, taught by





JOHN LANGDON

ARTIST, EDWARD SAVAGE OWNED BY REV. ALFRED  
LANGDON ELWYN, GREAT GRANDSON, PHILADELPHIA.

Major Samuel Hale. From school he passed to the counting room of Daniel Rindge, where he was fitted for a mercantile career. Early he went to sea and was soon master of a vessel. Then he owned and built ships of his own and had become wealthy through ship-building and trade before the Revolution. He read but little and acquired much practical knowledge by association with men. During the latter part of his life he was not fond of reading, but he could declaim Pope's Homer to the delight of children. As sea-captain he visited London repeatedly and formed acquaintances there. At the opening of the Revolution he was not intimately associated with the governing coterie in Portsmouth, and this may have led him to espouse the popular cause. Certain it is that there was no tory blood in his veins. Tradition uncontradicted makes him the leader of the party that captured the powder and military stores at fort William and Mary, in December 1774, thus exposing himself to capital punishment for armed rebellion.

On the tenth of May, 1771, he took his seat as a member of the Continental Congress at Philadelphia and was reappointed as a delegate the following January. He was Speaker in the House of Representatives of his State the same year and was appointed a judge of the court of common pleas, which office he resigned within a year. He was Speaker of the House again in 1777, and from 1778 to 1782. During the Revolution he was continental agent for building ships and collecting money to carry on the war. On the island then called by his name he built the Raleigh, the Ranger and the America, heretofore mentioned. In this way and as a banker and merchant he grew richer by the war, while many others were growing poorer. It is probable that all he ever loaned to the government in patriotic enthusiasm he got back with interest. An independent company of cadets in Portsmouth had him for colonel, and when General Gates called for reinforcements he marched to Bennington and was at Saratoga when Burgoyne surrendered. He afterwards led his regiment to the assistance of General Sullivan in Rhode Island.

On the thirteenth of June, 1783, he was appointed a delegate to the Congress of the United States, and the two following years he was a member of the New Hampshire senate.

In 1785 he was a candidate for the presidency of his state. The people made no choice, and Langdon was second on the list of candidates. The legislature elected him to the office. The next year he failed of election, though he received eleven hundred more votes than the year before. He was appointed one of the commissioners for the regulation of commerce. That year he built a bridge over the dock in Portsmouth and presented it to the town.

In 1787 he again failed of an election to the presidency of the state. The legislature appointed him a delegate to the convention that formed the Federal Constitution, and in September he became a member of the United States Congress.

In 1788 he was a member of the convention in New Hampshire that ratified the Constitution of the United States. The same year he was chosen Speaker of the House, in New Hampshire, but held that office only a few days, since it was found that by a majority of five votes he had been chosen President of the State. In November the legislature elected him Senator in the United States Congress.

In 1789 he resigned his office as chief executive of his state and took his seat in the United States Senate, where he was chosen the first president *pro tempore*. He served as senator until March 1801.

In 1794 he became disaffected with President Washington and thereafter was a zealous partisan of Thomas Jefferson. In his state he was at the head of the party first known as Anti-Federalists, and then Republicans. He strongly opposed the ratification of Jay's treaty with Great Britain, for which the citizens of Portsmouth approved him and gave him a public dinner, though the majority of the state censured his conduct. A careful study of the politics of that time would be necessary, in order to justify his opposition to Washington, whom he wished to be removed from office. The "Jeffersonian Democrat," that we sometimes meet today, would, doubtless, approve his attitude. He was equally opposed to the election of John Adams.

In 1793 he was again candidate for the governorship of his state, but was not elected. From 1801 to 1805 he represented Portsmouth in the State Legislature, the last two years being

Speaker of the House. As a presiding officer he was at his best, being courteous, prompt and impartial.

From 1802 to 1805 he was candidate for governor and succeeded in getting elected the last year. Then Dartmouth College conferred upon him the degree of Doctor of Laws. About this time he made a profession of religion and united with the church. Ever after he was fond of conversing with religious men of all denominations.

He was elected governor in 1806, 1807 and 1808 by large majorities. In 1809 he failed of election by a few votes, but was again chosen to that office in 1810, though such was the opposition that the Federalists of Claremont burnt him in effigy. His mental powers began to fail him, but the party to which he belonged had no other candidate that was likely to win, and so he consented to run again as candidate for governor and was elected in 1811.

The next year he retired to private life, yet eighty-two of the republican members of Congress met, and sixty-four of them nominated him as candidate for Vice President of the United States. This honor he was obliged to decline because of infirmities of advancing age. Some thought that he was opposed to Mr. Madison, but a letter of his refutes that charge. He was a friend to Madison and a zealous supporter of the war of 1812.

His mental faculties steadily declined in vigor. He became forgetful, and though still cautious his judgment was impaired. He died on the eighteenth of September, 1819, aged seventy-nine, leaving only a daughter.

Governor Langdon is said to have been fond of money and he had a positive genius for getting it. He used it in making friends, being very hospitable to all the great who visited Portsmouth. He was courteous by nature, affable, good-natured, and could say no without giving offense. He seems to have had without cultivation the arts of the attractive politician and won his way to political preferment by his social qualities, added to the influence of his comparative wealth, rather than by a mind strong and well furnished. He was neither a scholar nor a statesman; he was rather a man of affairs and a good political manager. To be just we must allow that he was patriotic, sincere, trustworthy and liberal, an honor to the state he served

in so many offices, without ever a suspicion of dishonesty.<sup>1</sup>

WOODBURY LANGDON.

He was the only brother of Governor John Langdon and was born at Portsmouth in 1739. His education was like that of his brother, in Major Hale's grammar school, in the counting rooms of merchants and in voyages at sea. Having property in London he was kept in that city during the first two years of the revolutionary war. On his return in a British frigate he was confined for a while in New York. During the remainder of the Revolution he was most of the time an active representative in the state legislature and several times after the adoption of the state constitution he held that office. In 1779 he was a delegate to the Continental Congress and was reappointed the following year but declined the trust. Twice afterwards he received the honor of such an appointment but refused to serve. During the latter half of the year 1782 he served as judge of the superior court, but refused to serve longer, though requested to do so by the General Court. He refused the office of brigadier-general in 1784.

In 1785 he was appointed judge of the superior court of New Hampshire and held that office for a number of years. Although he never studied law professionally, yet he was well informed in legal principles and possessed the judicial temper. His decisions were unprejudiced and generally acceptable. He was impeached by the House of Representatives for not holding court in some of the counties as the law required. In turn he accused the legislature of having improperly interfered with the business of court by passing laws to nullify their judgment and refusing to the judges a permanent and honorable salary. The trial by the senate was postponed through some legal technicality and the case never came to trial. His appointment by President Washington as one of the three commissioners to settle the revolutionary accounts between the United States and the several states led to his resignation as judge in a letter to the President of the State, which some interpreted as impertinent

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<sup>1</sup> See Plumer's Biography in N. H. State Papers, XXI., 804-812, and Some Account of John Langdon, by his grandson, John Langdon Elwyn, in N. H. State Papers, XX., 850-880. The latter contains much that is not closely connected with John Langdon, but it is useful as an interpretation of the times in which he lived.

and unbecoming his office. In 1796 and 1797 he was a candidate for representative to congress, but was defeated both times. The vote for him was small because of the smallness of the Anti-Federalist party, to which he belonged.

He was a man of unusual ability and independence, remarkable for rapid despatch of business. He was bold, keen and sarcastic, speaking his mind of men and measures with perhaps too much freedom. Hence he never had the popularity of his brother. Sincerity and frankness, expressed in a bluff manner, are easily interpreted as haughtiness and marks of an overbearing disposition. A sense of justice kept him from doing intentional wrong even to his political enemies, while to his friends he was attentive and helpful. It was his maxim never to quarrel at the halves. He died January 13th, 1805, aged sixty-six years.

#### SAMUEL LIVERMORE

This remarkable man was born in Waltham, Massachusetts, May 15, 1732, of the fifth generation from John Livermore, who came from Ipswich, England, to Watertown, Massachusetts, in 1634. Samuel Livermore was educated at Nassau Hall, now known as Princeton University, where he was graduated in 1752. After teaching a short time and studying law he settled in the practice of his profession at Portsmouth in 1757. After seven years he removed to Londonderry and represented that town in the General Court in 1768. For several years he was Judge Advocate of the Admiralty Court and was appointed Attorney General for New Hampshire by Governor John Wentworth in 1769.

He began the settlement of New Holderness, now Holderness, in 1765, of which he was one of the original grantees in 1761. He acquired by purchase nearly half of that town, owning ten or twelve thousand acres in Holderness, Campton and Plymouth. His farm was on the bank of the Pemigewasset river, opposite the village of Plymouth. Here he fixed his residence about the beginning of the Revolution, because, as some think, he did not wish to take an active part in the approaching struggle. Yet he had the confidence of all parties and retained his office as attorney general, rarely leaving home to attend to its duties. He had enjoyed an extensive law

practice at Portsmouth, yet for two years he tended his own flouring-mill at New Holderness. His legal abilities were soon again in demand, and he was employed by the State to care for its interests in the celebrated Vermont Controversy. For this purpose he appeared as a delegate to the Continental Congress in 1779, where he remained till 1782. He was then appointed Chief Justice of New Hampshire. Again he was elected to Congress in 1785, without resigning his office as Chief Justice. He was very active and influential in the convention that ratified the national constitution, and under that constitution he was New Hampshire's representative in Congress from 1779 to 1792. The following year he succeeded Paine Wingate in the United States Senate and after serving a full term of six years was reelected to that office. Twice he was chosen president *pro tempore* of the Senate, and as such signed an address to the President on the death of George Washington. He resigned his seat in the Senate, June 12, 1801, on account of impaired health and died at his home, May 18, 1803. His wife was a daughter of the Rev. Arthur Brown, rector of the Episcopal church at Portsmouth. Two of their five children became well known in the history of New Hampshire.

Judge Livermore, as he was called, owed his advancement to Christian character, natural talents, superior education and integrity. He was not a profound student of books, but he possessed good sense and reasoned shrewdly. He was not lacking in resoluteness of will, and the tenderness of his heart atoned for occasional passionateness and prejudice. Comparative wealth confirmed his leadership, and natural leadership helped him to get more wealth. He was looked up to as the father of his town, and many voters shaped their political opinions according to those of Judge Livermore. About all that the average voter can do is to choose his leader, and often the choice is forced upon him.

His son, Edward St. Loe Livermore, born April 5, 1762, in Portsmouth, became a prominent lawyer in Concord and Portsmouth. He was United States District Attorney for the district of New Hampshire from 1794 to 1797 and Judge of the Superior Court from 1797 to 1799. The smallness of his salary, only eight hundred dollars, obliged him to quit the bench and he removed





JOHN T. GILMAN

to Newburyport. He represented Essex county in Congress from 1807 to 1811, after which he lived in Boston and for a while in Zanesville, Ohio. He died in Tewksbury, Massachusetts, September 15, 1832. His first wife was Mehitable Harris of Concord; his second wife was Sarah Crease Stackpole of Boston.

Another son of Judge Samuel Livermore was Arthur Livermore, born in Londonderry, July 29, 1766. He studied law with his brother and practiced at Chester, which town he represented in the General Court in 1794 and 1795. He was Associate Judge of the Superior Court from 1796 to 1798 and from the latter date till 1813 he was Chief Justice. On the reorganization of the courts he again became Associate Judge. He was Chief Justice of the court of common pleas from 1825 to 1832, living then at Holderness on the ancestral estate. His aggregate term of judicial service covered twenty-five years. Late in life he removed to Campton. He was representative to Congress 1817-21 and again 1823-25 and State senator in 1821-2. Dartmouth College gave him the honorary degree of Master of Arts in 1802. He died at Campton, at his home called "Cragie Burn" July 1, 1853. He married Louisa Bliss of Haverhill, New Hampshire, and had eight children.<sup>2</sup>

#### JOHN TAYLOR GILMAN.

The Gilman family is one of the oldest and most honored of Exeter. It has furnished many men of influence and power in the political history of New Hampshire. Of these none were more prominent than John Taylor Gilman, born in Exeter, December 19, 1753. He received the education of the common schools and the practical learning acquired in ship-building, trade and agriculture, more valuable than theories in the development of character and strength.

On hearing the news from Lexington in 1775 he marched as a volunteer to Cambridge, stopping only for a night's rest at Andover and reporting for duty the following noon. He read in public the declaration of independence, on its arrival in his native town. He assisted his father, who was colonel of a

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<sup>2</sup> See the Livermore Family of America, and Judge Charles R. Corning's Biog. Sketch of Samuel Livermore in the Proceedings of Grafton and Coos Bar Association, Vol. I., pp. 365-409.

regiment, and acted as commissary in supplying food for soldiers in the siege of Boston.

He represented his town in the General Court of New Hampshire in 1779 and the following year was chosen a member of the Committee of Safety. He was a member of the Hartford Convention to consider ways and means of carrying on the revolutionary war, riding thither on horseback at his own expense and being absent six weeks, the only delegate from New Hampshire. At that time there was not money enough in the treasury of the State to pay traveling expenses. He succeeded General Sullivan as delegate to the Continental Congress, in 1781, and was the youngest man in the assembly. On the death of his father, in 1783, he succeeded him as treasurer of New Hampshire and continued in this office till he was appointed one of the three commissioners to settle the war accounts of the States. He was again elected State treasurer and held the office till he was chosen chief magistrate of his State. For fourteen years he was governor of New Hampshire, a term of office longer than that ever held by any other.

William Plumer expressed his belief that John Taylor Gilman improperly used public funds for private purposes, while he was treasurer of the State, yet no evidences are produced, and the State never lost a penny by him. He succeeded in getting the legislature to raise the governor's salary from one thousand dollars to twelve hundred, and he wanted more and probably deserved it. Governors and other high officials at that time received too little to pay necessary expenses. Hence only the rich could hold high offices. Now the salaries tempt incompetent men and men of small caliber to run for office, and the opportunity for graft is a still stronger temptation. Voluntary service for the sake of patriotism is not so frequent as in the days of comparative poverty.

His character is summed up by Plumer in the following words: "Governor Gilman was a plain, honest man, who did not attempt to conceal his design. He openly and frankly expressed his opinion of men and measures. He neither attempted to conceal or equivocate in anything that related to his official conduct. He had a high sense of honor and a contempt of sordid intrigue. He considered honesty more useful than

splendid talents. He moved openly and directly to his object, and was prompt and decisive in his measures. Plain common sense was the most useful and prominent trait in his intellectual character. He loved office and sought for it, but not by flattering the folly, prejudice, or passions of the people."

#### NICHOLAS GILMAN.

He was son of Colonel Nicholas Gilman and brother of Governor Gilman. Exeter was the place of his birth, August 3, 1755. He entered the army at the age of twenty-one as adjutant of Colonel Scammell's regiment and served throughout the war, being promoted to a captaincy and serving as assistant to Scammell after the latter was made adjutant-general.

Nicholas Gilman was a delegate to the Continental Congress 1786-8 and represented New Hampshire in the convention at Philadelphia that framed the Constitution of the United States. Again he served his State as representative to the national Congress from 1789 to 1797, when he publicly declined to be any longer a candidate. In 1805 he was elected a member of the United States Senate and held that office till his death, May 2, 1814. He was one of the presidential electors in 1793 and in 1797. He refused to be a candidate for the office of governor of his State, preferring to remain in the national Congress.

William Plumer has no compliments for him as a politician, and that voluminous scribbler wastes many words in pointing out the defects of his subjects treated in biographical sketches. We are led to question the accuracy and unbiased quality of his judgment. Surely it is not a fault to change one's mind more than once on great political questions, and a manly independence is easily called pride and haughtiness. Nicholas Gilman evidently had the confidence and respect of his fellow citizens to a large degree, else he would not have held political office so many years.

#### GEN. NATHANIEL PEABODY.

One of the most prominent leaders in the early years of the State was Nathaniel Peabody, born at Topsfield, Massachusetts, March 1, 1741. Through his mother, Susanna Rogers, he was tenth in descent from John Rogers, the martyr of Smithfield. All his education was received from his father, Dr. Jacob Pea-

body, since he never attended school a day. He had a good knowledge of medicine at the age of eighteen, when his father died. Soon after he settled as a physician in that part of Plaistow which is now Atkinson and gained a high reputation in his profession.

He was active in all that concerned his town, State and nation. His name is at the head of the petition for the incorporation of Atkinson. Governor John Wentworth appointed him justice of the peace in 1771 and he was made lieutenant-colonel in 1774. He was a member of the first and second Provincial Congresses of New Hampshire, and was very active in the struggle for independence. He is said to have been the first officer in New Hampshire to resign his commission in the king's service, and to have been present at the capture of gunpowder and cannon in fort William and Mary, December, 1774. As selectman he signed and certified to the Association Test in 1776. For years he was a member of the house of representatives and of the committee of safety. After the battle of Bennington he and Dr. Josiah Bartlett were sent to look after the sick and wounded. New Hampshire sent him as a delegate to the Continental Congress in 1779, where he was made chairman of the medical committee. His papers show that he was highly esteemed by Generals Washington, Greene and Richard H. Lee, with whom he held correspondence.

For twenty-five years he was almost continually in public life, serving his State as representative, senator, brigadier-general and major-general of militia. In 1795 he declined further election to office because of impaired health and pressing debts. He had spent money generously and had suffered loss by becoming surety for others. His public duties hindered the acquisition of wealth. Unable to pay his debts he was thrown into prison at Exeter, according to then existing law, where he remained about twenty years. He had the "liberty of the jail-yard," by which he could go almost anywhere in the town, and he resided in a private house, practicing medicine sufficiently for the support of himself and wife, as his diary shows. Readers of today wonder why a man who had rendered so much service to the State was allowed thus to suffer and be disgraced because of poverty. His talent for caustic wit and ridicule may have

alienated friends. He was thought to be somewhat heretical in religious opinions, and he alludes to the Deity as "the Great Occult Primary." That was enough to damn him in the estimation of some, and the man who can not pay his debts is always looked upon with suspicion, however unmerited. The reputation of General Sullivan suffered for a similar reason in his last years. The loss of money often means the loss of friends, and the victim who can smile and talk pleasantly to all, with a load of care and injustice on his heart, is a rare character. General Peabody had plenty of critics after he lost his property and some creditors thought themselves wronged. All the good he had done and his distinguished public services seem to have been forgotten by his fellow citizens, in the time of his old age and greatest need of friendship. He died June 27, 1823.<sup>3</sup>

#### COLONEL TOBIAS LEAR.

He was born in Portsmouth September 19, 1762, and graduated at Harvard College in 1783. When George Washington was in need of a private secretary, Lear was recommended to him by General Benjamin Lincoln. He had already visited Europe and was said to be proficient in French. He lived in the family of Washington sixteen years as a trusted secretary and member of the family circle, acting also as tutor of the two children of Parke Custis, whom Washington had adopted. When Washington was appointed commander-in-chief of the provincial army, in 1798, he selected Lear as his military secretary, with rank of colonel. He accompanied Washington in his private walks and journeys and was with him in his last illness. He married successively two of the nieces of Mrs. Martha Washington, his first wife having been a daughter of Col. Pierce Long of Portsmouth.

After the death of Washington the position of consul-general at St. Domingo was accepted by Lear, and in 1804 he was appointed to a similar office in Algiers and held it eight years. In 1805 he was a commissioner to negotiate peace with Tripoli. From 1812 to 1816, the year of his death, he was accountant to the war department.

He accompanied Washington in the latter's visit to Ports-

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<sup>3</sup> See Biographical and Other Articles, by William C. Todd, pp. 128-153.

mouth riding in a carriage, while the General rode on horseback, which circumstance led some of the multitude to cheer the secretary by mistake.

Colonel Lear won place and promotion by courteousness, diligence, punctuality and attention to his various duties. The assistant of a great man is likely to be overshadowed, yet he contributes more to the latter's greatness and success than is accredited to him in history. The efficient private secretary of a President is as valuable as any member of the cabinet. Sometimes the clerk of a corporation is its best manager.

#### HON. JOHN SAMUEL SHERBURNE.

He was of the fifth generation from Henry Sherburne, one of the earliest settlers of Portsmouth, who married Rebecca, daughter of Ambrose Gibbons, and was born in Portsmouth in 1757. He was graduated at Dartmouth College in 1776. In the Revolution he served in the Rhode Island campaign as brigade major and aide to General William Whipple, losing a leg by a cannon shot. He was a member of Congress, 1793-7 and United States District Attorney for New Hampshire 1801-4, thereafter till his death in 1830 serving as United States District Judge. His son, Colonel John Henry Sherburne, was register of the United States Navy and author of a life of John Paul Jones.

#### GENERAL BENJAMIN BELLOWS.

He was son of Colonel Benjamin Bellows, who removed from Lunenburg, Massachusetts, to Number 3, or Walpole, and was one of the principle grantees of that town. His first American ancestor was John Bellows who came to New England about the year 1635 and married Mary Wood of Concord, Mass. General Benjamin Bellows was born in 1741 at Lunenburg. In early life he was an officer in the militia and was made lieutenant-colonel by royal commission in 1768. He served as colonel during the Revolution at Cambridge, thrice marched to Ticonderoga and was present at the surrender of Burgoyne. Later he was promoted to the offices of brigadier-general and major-general in the militia.

He was chosen town clerk of Walpole when but nineteen years of age and held that office thirty-two years. From early

life till death he held the office of justice of the peace. He was register of deeds for Cheshire county from the year 1771 till his death. He was often representative of his town in the legislature, as well as State senator and councilor. Three times he was appointed delegate to the Congress of the United States, but he refused to accept the office. He was judge of the court of common pleas from 1784 till 1793. He was a member of the convention that ratified the Federal Constitution in 1788.

When prices were steadily rising, during the Revolution, by reason of the fluctuations of paper currency, he maintained a uniform price for everything that he had to sell, thereby sustaining considerable loss. It was impossible for one to regulate the value of paper notes. His corn and oats did not vary with the currency.

He had more wisdom than book-learning. He studied men and events. Dignity, courteousness, generosity and kindness won for him respect and love. William Plumer describes him as "Industrious, prudent, frugal, honest and humane." He died June 4, 1802, aged sixty-two years.<sup>4</sup>

#### SIMEON OLCOTT.

He was born in Bolton, Connecticut, October 17, 1735 and graduated at Yale College in 1761, working at manual labor during vacations to pay his expenses. After teaching school some time he studied law at Hinsdale. Admitted to the bar in 1766 he opened an office in Charlestown, where he resided the rest of his life. He was opposed to the Revolution as unnecessary and impolitic, but was a firm supporter of the government after the war. He was a trustee of Dartmouth College.

In 1784 he was appointed chief justice of the court of common pleas for Cheshire county, and in 1790 a judge of the superior court, and in 1795 chief justice of that court. His reputation was not so much for legal knowledge and ability as for honesty and integrity. To an unusual degree he had the confidence of the people. He practiced self-reliance, preferring to do for himself rather than to employ servants and esteeming any sort of useful manual labor as honorable. Some called him frank, while others said he was blunt. He was so open as to be

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<sup>4</sup> Walpole as It Was and as It Is, by George Aldrich, p. 195.

incautious. He was not avaricious, yet accumulated property enough for the comfort of himself and family.

In 1801 the legislature of New Hampshire appointed him a senator in the congress of the United States, to supply the vacancy occasioned by the resignation of Samuel Livermore and he held his seat four years, voting usually with the Federalist party and taking but little part in debates.

He maintained health by temperance, regular exercise, abstinence and rest, rather than by resorting to drugs and physicians. With the reputation of an honest and useful man he died February 22, 1815, in the eightieth year of his age.

#### CHRISTOPHER TOPPAN.

He was born in Hampton, January 18, 1735, son of Dr. Edmund Toppan, grandson of the Reverend Christopher Toppan of Newbury, Massachusetts. In early life he devoted himself to trade and shipbuilding. At the age of eighteen he was in command of a vessel that sailed to Hailifax, but the dangers of the sea led him to prefer activity on land. Both before and after the Revolution he annually built one or more ships at Hampton. He was not in favor of the war with England, took no active part therein, but discreetly argued against it, so as not to give offense. Before he was twenty-one years of age he was elected as representative of his town. By the colonial governor he was made justice of the peace, lieutenant-colonel in the militia, and judge of the court of common pleas in Rockingham county. After the Revolution he repeatedly filled the offices of representative, senator and councilor. For more than thirty years he held office in the government of the State. As a member of the convention that ratified the Constitution of the United States and of the convention that revised the Constitution of New Hampshire he rendered good service.

His prominent features of character were industry, frugality, integrity, self-command, prudence and patience. He never spoke on a subject till he was well informed. Oppositions and criticisms did not ruffle him. He was constant and faithful to a few select friends; he manifested no enmity or ill will toward any person. His persistence in plan and purpose continued so long as there was any chance of success, and when defeated he did

not despond. Is the measure right and attainable? If so, then work for it. His frugality led him to oppose high salaries and the unnecessary expenditure of public money. He was a good judge of men and measures and favored no man for office, who did not possess the requisite qualifications. He died in the house in which he was born, February 28, 1818, in the eighty-fourth year of his age.

#### AMOS SHEPARD.

He was the fourth son of Jonathan Shepard, who came from Coventry, Connecticut, to Alstead, New Hampshire, in the year 1768. For thirty-five years Amos Shepard was the most conspicuous man in that town, for wealth, influence and public service. He was born in 1746 and died January 1, 1812. His education was limited, though he acquired a knowledge of surveying and knew the trade of a joiner.

In the Revolution he served as lieutenant, under General Richard Montgomery, in the expedition to Canada and was present at the surrender of St. Johns and occupation of Montreal. On his return he raised a company and joined the American Army at New York. He moved from Connecticut to Alstead in 1777 and soon opened a store and began the acquisition of a large landed estate. He had branch stores in Croydon, Marlow and Newport and was engaged also in various manufactures, laying a broad foundation for wealth.

His commission as captain, signed by President Weare, was dated May 4, 1777. He marched to Ticonderoga and served as adjutant of Col. Benjamin Bellows' regiment. Again he marched as captain to check the progress of Burgoyne. Thereafter he rose through the grades of office in the militia to be colonel, brigadier-general and from 1793 to 1806 major-general.

He was a justice of the peace and represented Alstead several years in the General Court; was a councilor in 1785 and President of the Senate from 1797 to 1804.

His style of living corresponded to his means and position. He had great sagacity and business ability. In his will he bequeathed a thousand dollars each to the Congregational Church at Alford and to the New Hampshire Bible Society.

## JOSEPH BADGER.

General Joseph Badger of Gilmanton was born in Haverhill, Massachusetts, January 11, 1722. While a youth he served as Lieutenant and Captain in the militia, and was deputy sheriff of Essex County. He removed to Gilmanton in 1763 where he was justice of the peace and in 1771 was appointed colonel in the militia. He was active in the Revolution as muster-master and in furnishing supplies for the troops. He served as member of the Provincial Congress and of the convention that adopted the Constitution. His appointment as brigadier-general was in 1780 and as judge of probate in 1784, which office he held thirteen years. He was a member of the State Council in 1784 and 1790-1. He was much interested in the education of youth and did much to found Gilmanton Academy, contributing generously to its funds and acting as one of its trustees for a long time. The church and its ministers and institutions were the constant object of his care and benefactions, and the poor held him in remembrance for his generosity. His whole life was marked by wisdom, patriotism, benevolence and integrity.<sup>5</sup>

## GOVERNOR WILLIAM PLUMER.

The life of Governor Plumer is so interwoven with the history of New Hampshire for half a century after the Revolution that no extended biography is needed here. In the formation of the State Constitution no man was more influential and contributory. From youth he was an omnivorous devourer of books and in general literature was probably better informed than any other man in the State. Before he was admitted to the bar he was well grounded in the principles of law and constitutional government and at an early age in the legislature hesitated not to oppose his opinions to those of his seniors.

He was born in Newbury, Massachusetts, June 25, 1759, of the fifth generation from Francis Plumer, one of the original grantees of Newbury. He removed with his parents to Epping in 1768 and there learned to be a farmer, while reading all the books he could buy or borrow. His health was not very robust, and this may have kept him out of the army. In his twentieth

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<sup>5</sup> Hist. of Gilmanton, pp. 234-5.

year he became greatly interested in the preaching of Dr. Samuel Shepherd and united with the Baptist church and was licensed to preach. As an intemperate preacher he was listened to with great interest, and his work was regarded as successful, but after a year or so study and reflection wrought a change in his religious convictions, and he abandoned all thought of spending his life in the Christian ministry. Thereafter he was classed as a deist, and then that word was synonymous with infidel, but Governor Plumer was a firm believer in God the Father Almighty, Maker of heaven and earth. His conflict seems to have been with the assumed authority of the Bible and the faulty interpretations thereof. He always contended for complete religious liberty and had respect for the conscientious convictions of others. Had he lived in these times many a church would have received him into good and regular standing, and his life was blameless from the moral point of view. He could not reconcile current theology with reason and the character of God, and we can but admire his boldness and sincerity in the course he took. His inner experiences had harmonized with honest beliefs, and now doubts of an intellectual character disturbed his rest. His so-called skepticism was altogether of the head, while his heart remained right. The messenger, the interpreter, the one among a thousand, did not appear in his behalf, and so William Plumer fought his battles for human freedom, morality and good government outside of the church rather than in it. He was nearer to the truth than the church was at his time. He never withdrew from the real church invisible and militant. He was told that his doubts proceeded from the devil, and that he must not reason about things he could not comprehend, but must simply believe on authority of others. A mind like his could not possibly so submit to the dictations of men as fallible as himself or more so. Therefore he held fast to his belief in God and immortality and discarded most of the theological notions then current. The errors that he had imbibed in youth and the consequent fiery emotions sometimes arose in memory to haunt him and embitter his speech. He felt a moral indignation toward deceit and hypocrisy. He had no objection whatever to the teachings of Jesus. He was a Christian, and his contemporaries had not sense and breadth enough to recognize it.

He studied law with Joshua Atherton of Amherst and John Prentice of Londonderry and was admitted to the bar in 1787, without the usual examination. He had already been a member of the legislature and had demonstrated his knowledge of law. Soon he was acknowledged as one of the foremost in a large company of eminent attorneys and jurists. From the beginning of his public career his interest in political questions was manifest, and in the framing of the Constitution of 1792 his contribution was so great that some called it "Plumer's Constitution." At that time he was Speaker of the House, and again in 1797. From 1802 to 1807 he was a member of the United States Senate, filling a vacancy caused by the resignation of Mr. Sheafe. His sympathies and actions were with the Federalist party, but subsequently he modified his political views, as independent thinking demanded. Four times he was elected governor of his State, though the opposing candidates were some of the most eminent men of the times. His public life terminated in 1819. There will be occasion to say more about this.

At one time he projected a history of the United States and collected much material therefor. During his long retirement in advanced years he was always busy with books and writing. His newspaper essays, on a great variety of subjects, numbered one hundred and eighty-six. He wrote and collected one thousand nine hundred and fifty-two sketches for an American Biography. Only a few of these have been printed, and some of them are rather too critical and communicative of the private faults of men for whom he felt no political sympathy. His manuscripts are in the possession of the New Hampshire Historical Society, which he helped to organize, in 1823, and of which he was the first president. He was a member of the Academy of Languages and Letters, American Antiquarian Society, Massachusetts Historical Society, and the Royal Society of Northern Antiquaries of Copenhagen.

He ceased literary work only with the failure of memory, at the age of eighty-five. His death occurred December 22, 1850, at the age of nearly ninety-two. An extended biography was written by his son, William Plumer, Jr., in which the personal appearance of his father is thus described: "In person he was tall and erect, his complexion dark, his face rather long

and thin, his hair black and his eyes black and sparkling, with a look and a smile, when he was pleased himself, or would please others, expressive of the most winning good will.”<sup>6</sup>

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<sup>6</sup>Cf. Memoir of William Plumer, by Albert H. Hoyt, in N. E. Hist. and Gen. Register, 1871.



## Chapter XII

# THE CHURCHES OF THE EIGHTEENTH CENTURY



## Chapter XII

### THE CHURCHES OF THE EIGHTEENTH CENTURY.

Importance of Ecclesiastical History—The Meeting House as a Center of Attraction—Rough Benches versus Private Pews—A Learned Ministry, sometimes too Learned—Doctrinal Discussions by the Laity—Occasional Fanaticism—Varied Employments of Early Ministers—Hard Labor and Small Pay—Difficulty of Collecting Ministerial Tax—Good Influence of Congregational Ministers—The Rev. Jeremy Belknap—President Samuel Langdon—George Whitefield, the Evangelist—Old Time Revivals—The Rev. Walter Harris of Dunbarton—The Rev. Samuel Hidden of Tamworth—Presbyterianism—The Episcopal Church—Growth of the Baptists—The Freewill Baptists and Benjamin Randall—Incoming of the Methodists.

THE history of the churches in New Hampshire forms a large and important part of the history of the State. The first care of the proprietors of a township was to provide for the erection of a meeting house, as the place of worship was called, since it served for political, as well as religious assemblies. The next care was to find and call a learned, orthodox minister. We have seen how Governor Benning Wentworth reserved land, in every township be granted, for the establishment of an Episcopal church. The standing order, however, or the orthodox church, was the Congregational, on account of the early influence of the Pilgrims and Puritans of Massachusetts. The leading exception was the Presbyterian church, that came in with the Scotch-Irish emigration from Londonderry, about 1718.

The law that all persons who were able should go to the place of worship on Sunday was rigidly enforced in the early days, and many were fined at court for neglect of attendance and for visiting the Quaker meetings. Gradually the rigidity of the law was relaxed, till it became almost a dead letter. Previous to the Revolution going to meeting was practically optional, although the majority preferred to go, because this was the easiest way of seeing all the neighbors. The congregations on Sundays were social assemblies, besides being at least nom-

inally religious. While comparatively few of the audience were members of the church the remainder felt it a privilege and a duty to be there regularly, for they had been taxed to build the meeting house and support the minister. Most of the children were baptized, if father or mother had owned the covenant. Other children seem to have been consigned to Limbo, the neglectful sins of their parents being visited upon them, notwithstanding that the doctrine of unconditional election made the future of one class as uncertain as that of the other.

The large townships made it necessary that some should walk or ride on horseback from five to ten miles each way, in going to meeting. Only sickness or fear of Indian depredations kept them away. When the meeting houses were first erected, soon after the settlement of the towns, there was no distinction between rich and poor, since all sat upon rough benches; later those who could afford it had the privilege by vote of building a private pew in some assigned part of the meeting house, and in some places the assignment was according to social rank. A civil or military title, or the possession of acquired or inherited wealth, secured the best places. Gradually the rough seats gave way to square or oblong pews, with high straight back and doors that could be safely buttoned, to keep out intruders. With lapse of time and increase of wealth only those who had pews or assigned seats were seen regularly at church. The social distinctions were stronger than statute law. It was the private pew that drove the poor away, and they have staid away ever since. They prefer a rude chapel or a hall, where all worshipers are alike in the sight of God and men.

The ministers were the learned men and educators of the people. Most of them were graduates of some college that had been founded for the express purpose of providing an educated clergy. The minister must be preeminently pastor and teacher. In 1764 forty-eight of the fifty-two settled ministers in the Congregational churches of New Hampshire were college graduates, and from 1748 to 1800 nine-tenths of all the ministers in the State had come from these higher institutions of learning. Harvard furnished one hundred and two; Yale nineteen; and Dartmouth forty. It was the habit to "read divinity" during the

senior year and then to pass a novitiate as junior preacher under the instruction and direction of some learned divine, such as Samuel Langdon of Hampton, who had been president of Harvard College, or Samuel McClintock of Greenland, who had been trained at Nassau Hall. The experience and well selected libraries of such men were worth full as much as the Theological Schools of the present time.

The learned discourses from the pulpit were not understood and appreciated by all. The exhortation delivered by some layman, when "the Spirit moved," stirred the hearts of the hearers. Hence the early Quaker preachers attracted many and when itinerant Baptist ministers appeared, or the evangelist, George Whitefield, or anybody with an asserted or apparent thus-saith-the-Lord as his message, the common people heard them gladly, and a break in the orthodox ranks awaited every innovator. Protestantism could not be kept under control of the Puritans. Its right of private judgment nullified all the teachings of the ministers, when individuals and groups were so disposed. There was no law against private assemblies for religious purposes. New churches and denominations could be formed at will. Even a faction in a Congregational church could secede, go across the street and build a rival meeting house. A doctrinal controversy, or a dislike for a settled pastor, was almost sure to create a division. Thus in this century begun the multiplication of Protestant denominations, which has steadily continued down to the present time, when we have them to the number of one hundred and eighty-six in the United States.

The educated ministers, that is, educated in dogmas and theories, often preached over the heads of the drowsy audience, and the tythingman, with the aid of his long pole, had to gently remind some inattentive and weary ones that they were not in a land of dreams. The two sermons, in a meeting house that had neither stove nor chimney, were separated by an hour of intermission, in which the people had a chance to lunch, chat with their neighbors, discuss war and politics, and perhaps warm up at some near-by private house or "ordinary," or replenish the live coals in footstoves.

The long, doctrinal discourses of those days awakened spirited discussion among the thoughtful and better informed.

The Bible and Catechism were the armories, whence weapons were drawn for logical warfare. There were no public libraries, and the few books of the well-to-do were chiefly doctrinal and religious. These were often loaned to the studious. Even school text-books were rare. Neighborhood philosophy was grounded in common sense or reasonableness, and judges held equity to be superior to statute law. When argument touched theology, or the interpretation of religious experience and the ways of God with men, reason had to yield to any detached proof-text found in the Written Word. The doctrine of verbal inspiration and consequent infallibility of the Bible was commonly accepted, without any need of proof. The ministers had so taught, and there was nobody to dispute with them. It was the bed-rock foundation of all sermons and works of divinity. For a New England Protestant to deny the infallibility of the Bible was as unthinkable and damning as for a Roman Catholic to deny the infallibility of the pope and general councils. Creeds and systems of belief were founded upon it. If reason and science were at variance with the Bible, then almost self-evident truths and patent facts must be denied. God had spoken, and man must be silent and obey. Proof-texts could be interpreted and twisted to suit any theological notion already held. Calvinism, a cast-iron system of logic founded on erroneous major premises, was the current theology. Every thoughtful man knew the "five points of Calvinism," and by the firesides, in the long evenings of winter, farmers disputed about unconditional election, limited atonement, irresistible grace, perseverance of the saints, reprobation of the non-elect, and eternal damnation of impenitent sinners. Such talk was more fascinating than that of war and politics, for the women could take part as well as the men, and sometimes better. Like Milton's fallen angels they reasoned of

Fixed fate, free will foreknowledge absolute,  
And found no end in wandering mazes lost.

It is not to be supposed that the stream of Congregationalism ran on without ripples on its surface and eddies along its shore. Dr. Langdon records that Robert Sandeman came to Portsmouth and established one of his three churches in America. There were but sixteen communicants in 1766. "They

all discovered a very malevolent spirit and high enthusiasm, very much like the hottest of the New Lights, however frigid Sandeman's notions may seem to his readers. His meeting-house is not much frequented by any but those of his own party, and about thirty persons are his constant hearers, including the church. \* \* \* We let them alone very much; and I am persuaded, if they are not drove firm together by some kind of persecution, they will soon grow lax and disjointed by jealousies and quarrels among themselves." They dwindled to five families in 1777. Their doctrines were called fantastic, and so some of the teachings of Dr. Langdon appear to us, especially concerning Adam in the light of modern evolutionism. Error dies out quickest when it is let alone, and the grain of truth mixed with it gets planted in other soil and company.

A little earlier a fanatic named Woodbury came to Durham and deluded the minister, the Rev. Nicholas Gilman, and some of his flock. Fanciful interpretations of Scripture were current there. A council was called in 1746 to inquire into irregularities. In the midst of a sermon some persons "made all manner of mouths. turning out their lips, drawing their mouths awry, as if convulsed, straining their eye balls and twisting their bodies in all manner of unseemly postures. Some were falling down, others were jumping up, catching hold of one another, extending their arms, clapping their hands, groaning, talking" They shouted and danced about in the church, sang strange songs and made extravagant claims of "adoption, justification, sanctification, perfection and perseverance." There is nothing new under the sun; the old is ever in process of renewal, with but slight difference. Religious fanatics act about the same in all ages. The difference is in the degree of general enlightenment. Abnormal manifestations of religious enthusiasm occur wherever shallow minds and dense ignorance abound.

The Congregational ministers often served as school teachers, physicians and lawyers. They did the work of frontier missionaries, where no other educated men were to be found. Some like the Rev. Hugh Adams of Oyster River had an extensive medical practice, that helped to gain a scanty support. Many are the wills and deeds in the handwriting of the parish minister and witnessed by him. If not actually keeping a town

or district school, the minister usually served on the school committee, and his influence was potent in securing teachers. The spread of liberal education gradually changed all this. College-bred men and women are now found everywhere, and half-educated ministers abound. The clergy are no longer leaders of thought and activity. The press is a more powerful educator than the pulpit. Ministers are not now sought for, as they were then, to act as presidents and professors of colleges. The election sermon, the discourses on Fast Day and Thanksgiving Day have been discontinued, or they attract but few hearers. Once they were powerful in moulding political and patriotic convictions. Every sphere of activity has its specialist. A minister who now practices medicine in his parish is heard of only in Wayback; indeed such practice, were he amply qualified, would awaken criticisms against his ministry. He must not interfere with the work of other men, who want that field exclusively for themselves. Let medical missionaries go to foreign lands, where there are no physicians. A physician can now take the place of a minister by the bed of the sick and dying, but the minister must not take the place of the trained physician. Who now calls a minister to make his will. The astute lawyer has difficulty in making one that can not be broken. Occasionally a minister leaves preaching to practice law and go to Congress, as did William Plumer and Payne Wingate and Abiel Foster, and a lawyer leaves the courts of law for the courts of the sanctuary, but the two professions are now entirely separate. By confinement of his activities to one special vocation the minister may have now less power and influence than he once had. The only way to recover power is to make himself an eminent specialist in the proper and exclusive work of the Christian ministry. He may do this as an author, orator, pastor, or evangelist. As a religious teacher his services were never more needed than now, even if they are not so much in demand.

In the olden days all ministers had an allotment of land, a good-sized farm, which he and his sons cultivated. This was a part of his stipulated salary. The salary in money, of fluctuating value, was small, ranging from sixty to one hundred pounds annually, that of Dr. Buckminster of Portsmouth, seven hundred dollars, being

the largest in the State. The smaller the salary, the more difficulty there was in collecting it. Mr. Shepherd of Dublin, on the other hand, begged his people not to increase his salary, as "it plagued him to death to collect what they had already agreed upon." In Durham four ministers in succession complained of inability to collect the amounts due to them and one of them resorted to a lawsuit, which some of his brother ministers thought to be specially naughty. Many still think that a minister ought to be thankful for what is grudgingly given to him and ask for no more. Does he not preach a free Gospel? He must not resort to farming now or any so-called secular employment, to help support and educate his family. He is supposed to be specially called of God to do just what his parish, individually and collectively, want him to do, and to attempt no more, whatever may be his need. That is a present-day theory with some, almost unknown in the eighteenth century. Then ministers did a great variety of work and even traded in Indian scalps to increase their revenues. Consequently many of them built spacious houses and became financially independent in old age and educated their children to become leaders in society and business. If there was need, the towns continued to support their aged and worn out ministers, who had spent their entire lives in one settled pastorate.

The reluctance at paying a ministerial tax increased greatly toward the close of the eighteenth century. For some time Quakers had been freed from such taxation, and then the Baptists secured exemption from being taxed to support a minister not of their own choice. Proof that they were contributors to the support of a Baptist church released them from town tax to pay the orthodox minister of the parish. Hence some became Baptists in name and for a season. The demand increased for poll parishes, made up of consenting individuals, pledged to a voluntary support of a minister chosen by themselves. The early practice of getting the chosen minister confirmed by the General Court had long been discontinued. It was found that ministers and churches could be supported on the voluntary plan better than by enforced taxation. The demand was for a larger freedom in matters of religion, in fact for a free Church in a free State, as the Italian statesman,

Cavour, long afterward expressed the aspirations of the people of Italy. It is very noticeable that parishes that had been large and flourishing had, at the end of the eighteenth century, but few actual church members, even if the congregation was respectably large. Many preferred to receive all the benefits the church could give without assuming its moral and financial obligations. The half way league and covenant tended to such a result. Some populous towns, where once were flourishing Congregational churches, had to be helped by a Missionary Society, in order to maintain religious services. Rival denominations had crept in, whose doctrines and methods were more in harmony with the spirit of the times. The standing order was standing still, while progressive minds were moving on.

Yet the Congregational churches of New Hampshire and throughout New England had done a grand work. The very doctrine of the absolute sovereignty of God, with its logical deductions, had developed a sturdy type of character. Allegiance to God carried with it devotion to freedom, truth and righteousness. Such men could not endure tyranny and oppression. The seeds of political revolution were sown in many a sermon. The American Revolution found no more loyal supporters than almost the entire body of Congregational ministers. Some of them hastened to Lexington and Cambridge with their parishioners. Calvinism had opposite effects. Those who believed themselves among the elect or had a "comfortable hope" to that effect, strove to make their calling and election sure; while others became careless and indifferent, arguing that if they were among the non-elect, nothing that they could do would change the final issue. Good men will be good in spite of erroneous beliefs, and bad men will be bad in opposition to much truth held only theoretically. It must be admitted that the devout Calvinist had many noble traits of character, while the stickler for doctrine became a persecutor of men better than himself.

Among the leading ministers in New Hampshire during the eighteenth century no one left a more permanent impress than the Rev. Jeremy Belknap. Graduating at Harvard in 1762 he spent a few years in teaching, at Portsmouth and Greenland, and then accepted a call to the church at Dover, where he remained twenty years. Here he begun his classical work, The

History of New Hampshire. It can never become obsolete. The minuteness of his research among public documents, when they were only in manuscript form, is a marvel of patience and persistence. Few records and events of real importance escaped him. His judgment and literary taste are manifest on every page. While he was an ardent patriot and called to be chaplain of a regiment, his work is free from personal denunciation of opponents and marked by abounding charity. As one of the principal founders of the Massachusetts Historical Society and as a collector of valuable historical papers the great importance of his work must be recognized. He was one of the first to advocate the abolition of the slave trade and was always the friend of the negro. In 1787 he became pastor of the Federal Street Church, in Boston, founded in 1727 by Scotch Presbyterians under the leadership of the Rev. John Moorhead. Dr. Belknap died June 20, 1793. His picture of an ideal town, suggested by many towns he had seen in New Hampshire, is a fitting exhibition of his style and spirit:

Were I to form a picture of happy society, it would be a town consisting of a due mixture of hills, valleys, and streams of water. The land well fenced and cultivated; the roads and bridges in good repair; a decent inn for the refreshment of travelers, and for public entertainments. The inhabitants mostly husbandmen; their wives and daughters domestic manufacturers; a suitable proportion of handicraft workmen, and two or three traders; a physician and lawyer, each of whom should have a farm for his support. A clergyman, of any denomination which should be agreeable to the majority, a man of good understanding, of candid disposition, and exemplary morals; not a metaphysical nor a polemical, but a serious and practical, preacher. A schoolmaster, who should understand his business and teach his pupils to govern themselves. A social library, annually increasing, and under good regulation. A club of sensible men, seeking mutual improvement. A decent musical society. No intriguing politician, horse-jockey, gambler, or sot; but all such characters treated with contempt. Such a situation may be considered as the most favorable to social happiness, of any which this world can afford.<sup>1</sup>

New Hampshire, from one hundred and fifty to one hundred years ago, came as near to this ideal as has ever been reached in any land. Are we living in better and happier times today? Have the modern improvements of a material character increased the happiness of her population? or are we in a state

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<sup>1</sup> Life of Jeremy Belknap, D.D., by his grand-daughter, p. 135.

of transition to a still greater and more wide-spread happiness?

Perhaps second in rank to Dr. Belknap was the Rev. Samuel Langdon, born in Boston, January 12, 1723. No relationship between him and the Langdon family of Portsmouth has been discovered. He was graduated at Harvard in 1740 and thereafter taught school at Portsmouth for four years and in 1745 was chaplain of a New Hampshire regiment at Louisburg. For twenty-seven years he was the settled minister of North Church, Portsmouth, acting also as one of the chaplains of the legislative assembly. In 1774 he was called to the presidency of Harvard, where he remained till 1780, resigning partly on account of the opposition of undergraduates, although he does not mention this in his letter of resignation. There were no differences of opinion as to his scholarship and Christian virtues. During his administration the college was removed for a short time to Concord, Massachusetts, and convened in the church. Samuel Langdon was an ardent patriot and in his election sermon at Watertown, May 1775, he justified in advance the independence of the colonies. He was the author of several works of theological character, and his orthodoxy was mistrusted by some at a time when heresy-hunters were searching for prey. From 1780 till his death, in 1797, he was minister of the church at Hampton Falls, where he was long remembered for his noble and Christian spirit. In 1768 he wrote, "The churches are divided and subdivided under various modes and party names, and while they glory in men and word distinctions, they are betrayed into angry contentions and often forget the most essential principles of Christianity, especially that fundamental law of Christ that his disciples must love one another. The spirit of falsehood takes advantage of the times, dresses up religion in new shapes, deludes men with fables and absurdities, and inspires them with wrath and hatred under the cover of zeal for God." In his will, 1797, he declares that he had endeavored to preach the Gospel "in its primitive purity and simplicity, without regard to the doctrines and commands of men." Such men are an honor to any State and are the true friends of Christianity.<sup>2</sup>

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<sup>2</sup> See articles in the *Granite Monthly* of 1904, pp. 207-228, and 267-287, by Frank B. Sanborn.

The successor of Dr. Samuel Langdon at Portsmouth was the Rev. Ezra Stiles, D. D., who was soon called to be president of Yale College and was one of the most eminent scholars and educators of his time. Indeed New Hampshire was quite a hunting ground for college presidents, for Bowdoin College chose for its first president the Rev. Joseph McKeen, D. D., who was born at Derry, October 15, 1757, graduated at Dartmouth in 1774, taught in Phillips Andover Academy and was called to Bowdoin from his pastorate at Beverly, Mass. The second president of Bowdoin was also a New Hampshire man, the Rev. Jesse Appleton, D. D., born at New Ipswich, November 17, 1772. He graduated at Dartmouth and preached for a while at Hampton.

The coming of the eminent evangelist, George Whitefield, to New Hampshire made the usual stir that his preaching produced. Though a Calvinist in theory he was a Methodist in fervor and methods, having learned how to evangelize in the school of John Wesley, who, though not so gifted with eloquence, greatly excelled Whitefield in powerful effect upon his audiences. Indeed Whitefield at first spoke against the effect of Wesley's preaching, which occasioned some to lose physical strength and fall prostrate on the ground. Wesley invited him to preach in Moorfield common, London, and to the surprise of the speaker similar results attended his own proclamation of the Gospel. He could no longer object and interpreted such religious phenomena as special manifestations of the power of the Holy Spirit on the souls of men. Powerful emotional experiences became the test of conversion, the evidence of salvation. Because such experiences were rare or unheard of in New England, Whitefield drew the unwarrantable conclusion that many of the ministers had no acquaintance with saving grace, failing to distinguish between the intellectual, emotional, and practical types of Christian experience. This failure has always made some honest men unduly censorious. Whitefield first preached at Portsmouth in 1745 and recorded in his diary, that he "preached to a polite auditory, but so very unconcerned, that I began to question whether I had been speaking to rational or brute creatures." He moved on to York and a few days later preached again at Portsmouth. The congregation was larger and the

effect seemed better. "Instead of preaching to dead stocks, I now had reason to believe I was preaching to living men. People began to melt soon after I began to pray; and the power increased more and more during the whole sermon." Curiosity had worn off; Whitefield himself was probably in a better state of health and frame of mind; and the hearers were consequently more receptive of truth, having learned of revivals elsewhere and so prepared to feel what they believed; for subjective emotional experience usually corresponds to intellectual beliefs and expectations. When he returned to Portsmouth in 1754 a large cavalcade came out to meet him, which overwhelmed him with humility and joy.

Mr. Whitefield first came to Exeter in 1745. Some of the parishioners of the Rev. John Odlin, who was nearly half a century minister of the church at Exeter and was succeeded by his son, the Rev. Woodbridge Odlin, had heard Mr. Whitefield at Portsmouth and Hampton and leaped too quickly to the conclusion that the Odlin's were unconverted men. Hence there was a split in his parish and a new church was built and society gathered under the leadership of the Rev. Daniel Rogers. About one-third of the Exeter people joined the new movement which rent the church asunder for half a century. Many of the leading ministers of New Hampshire had no more sympathy with the preaching of Whitefield than equally good ministers have now with that of Billy Sunday. But sinners were soundly converted in both cases, and nothing is so convincing as success. One young man went to Exeter with a stone in his pocket, wherewith to break Mr. Whitefield's head, but he listened and confessed that he himself had a broken heart. On Whitefield's last visit to Exeter, in 1770, he preached two hours in the open to a vast assembly that no church could contain. It was but a few days before his death at Newburyport, and he contrasted the earthly with the heavenly life. It is a question whether dissensions in the churches did not more than counterbalance any revival spirit awakened by the preaching of Whitefield. Emotional religion quickly subsides; the revival that improves character and consequent conduct has abiding value.

To show that revivals are not dependent upon professional evangelists let us turn to the religious history of the church at

Dunbarton, where the Rev. Walter Harris was minister for over forty years. Revival after revival attended his faithful labors. "Very soon after his ordination, in 1789, he commenced in a systematic way, the important work of stating, defining, illustrating and defending the great doctrines of the gospel. Several years were spent in this great work, during which Mr. Harris brought into vigorous exercise all the powers of his acute and discriminating mind, a mind well trained, both in the school of science and in the school of theology, a mind naturally capacious and discerning, capable of grasping and digesting great truths, at the same time that it was fired with a peculiar ardor and energy, from the inspiration of a heart touched with the mysterious power of divine grace and blessed in an uncommon measure with an unction from the Holy One. In this manner he labored; not shunning to declare the whole counsel of God, preaching the truth with an earnestness and affection, and with a fidelity and a pungency, peculiarly adapted to take effect. Two whole years passed away under these faithful labors, and no signs were witnessed of God's reviving influences. The third year also had half finished its course, and no cloud of mercy had yet made its appearance over this hill of Zion. But now had arrived the hour of God's merciful visitation. A stillness, like that of death, now pervaded the congregation on the Sabbath, save when the stillness was broken by the involuntary sighs and half suppressed sobs of those who had felt the Spirit's power upon their hearts and were weeping over their sins. With such convincing energy did the Holy Ghost descend, that the entire people were moved; the whole town was shaken as with a moral earthquake, and none were so hardened as not to be interested in the inquiry, 'What shall I do to be saved?' Now were Zion's walls indeed called salvation and her gates praise. This was one of the most signal and glorious works of grace ever witnessed in New England. It introduced to this then infant church about eighty new members."

This is the language of sixty years ago and shows the religious philosophy then current. The "set time to favor Zion had come," as the writer thought, but we now believe that God's time to bless honest and wise effort is all the time and that genuine revivals follow compliance with established law in

the spiritual world. The truth well expressed and lived will always be reinforced by the power of the eternal Spirit of Truth. Tides of religious emotion ebb and flow, as they did at Dunbarton. This revival was in 1792, and the next one was in 1816 and the next in 1826. Had God forgotten Dunbarton meanwhile? In the nature of the case the dragnet can not be filled with fish every year in a small town. Even the Almighty must wait for people to be born and grow.

Here is another illustration of an old-time revival. At Tamworth, in the year 1800, there was "a remarkable outpouring of the Holy Spirit, it may be unparalleled in the annals of church history, if the number of the inhabitants is taken into the account. The revival had its origin in a prayer meeting. It soon spread through the town. Prayer meetings were held every evening in the week. The principle business for months was religious conversation and prayer. Whole nights were spent in prayer and singing. The pastor had no help from abroad. For four months he preached almost every day. The work extended to Conway, Moultonborough, Eaton, Ossipee and Sandwich." There were three hundred converts, of whom about two hundred united with the church at Tamworth. This was a Union Congregational church, made up of persons of different denominations and shades of belief. The minister was the Rev. Samuel Hidden, and he was ordained on a large boulder, on which fifty men might stand. It is fifteen feet high, and the almost level top measures twenty feet by thirty. The writer hereof once visited it, situated in the midst of wild scenery.<sup>3</sup>

But there were many other churches where no intermittent revivals occurred, but where in the course of fifty or one hundred years as many persons were gathered into the fold as were enrolled in the revival churches during the same time. There was less excitement, and the result was deeper and purer moral character, for all enthusiasatic revivals have been followed by relapses and backslidings.

Presbyterianism has never flourished on the soil of New England. Even the emigrants of that persuasion from Scotland and North Ireland have, in their offspring, gradually melted into

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<sup>3</sup> The New Hampshire Churches, by the Rev. Robert F. Lawrence, pp. 377, 593.

Congregationalism. Somehow the independence of the local church has been more in harmony with the democratic spirit of New England. The Presbyterians of Londonderry spread out into Bedford and neighboring towns but began to wane ere the close of the century. Twelve Presbyterian churches in the upper valley of the Connecticut, in Vermont and New Hampshire, constituted the Grafton Presbytery, organized through the influence of President Wheelock of Dartmouth College, to which the college church belonged. Their government and practices differed somewhat from the Presbyterianism of Scotland and long ago these churches became Congregational.

The Boston Presbytery was organized in Londonderry, April 10, 1745, and at one time at least nine churches in New Hampshire belonged to this. In some towns, like Chester and Pembroke, there was an endeavor to combine the Presbyterians and Congregationalists into a Consociate church. In other towns the two churches worked side by side, sometimes in harmony and sometimes at variance. Neither was strong enough to absorb the other, and neither was broad and catholic enough to allow itself to be absorbed. They could not see that the Kingdom of God was bigger and of more importance than all the denominations, and that religion is more than theology. The eighteenth and nineteenth centuries fostered divisions; let us hope that the twentieth century will be marked by the reunion of all the good, of "all who love our Lord Jesus Christ in sincerity." There are said to be only four Presbyterian churches in New Hampshire today. In the year 1800 there were one hundred and thirty-eight Congregational and Presbyterian churches in the State.

Mention has been made in previous pages of the Episcopal church at Portsmouth, under the leadership of the Rev. Arthur Brown, and of the efforts of the Governors Wentworth to spread Episcopalianism throughout New Hampshire and Vermont. The Society for the Propagation of the Gospel in Foreign Parts endeavored to foster such a movement, but without much success. Prior to the year 1800 only four Episcopal churches had been gathered, at Portsmouth, Holderness, Cornish and Claremont. The last was organized in 1771 by the Rev. Samuel Peters, missionary of the above named society. He visited towns

on both sides of the Connecticut river and reported "several thousand souls, who live without the means of grace, destitute of knowledge, laden down with ignorance and covered with poverty." This sounds like pleas made now by the agents of different denominations in behalf of settlers on the western frontier. Poor benighted souls! Each one should have a church and minister of his own peculiar preference, or there is little hope for him in either world! The Episcopalians and the Congregationalists built a Union Church in Claremont, and called a Congregational minister, on condition that he be episcopally ordained, and he had good sense and breadth enough to agree to the terms. Anything to keep the peace among Christian brethren and to work together in harmony. The second ordination did him no harm, and it comforted others.

Colonel John Peters wrote to his brother, the Rev. Samuel Peters, in London, June 20, 1778, as follows. It throws new light on the condition of the loyalists during the Revolution:

Rev. Dr. Wheelock, President of the Dartmouth College, in New Hampshire, in conjunction with Deacon Bayley, Mr. Morey, and Mr. Hurd, all justices of the peace, put an end to the Church of England in this State, so early as 1775. They seized me, Capt. Peters, and all the judges of Cumberland and Gloucester, the Rev. Mr. Cossit and Mr. Cole, and all the Church people for 200 miles up the river (Connecticut), and confined us all in close gaols, after beating and drawing us through water and mud. Here we lay some time and were to continue in prison until we abjured the king and signed the league and covenant. Many died; one of which was Capt. Peters' son. We were removed from the gaol and confined in private houses at our own expense. Capt. Peters and myself were guarded by twelve rebel soldiers, while sick in bed, and we paid dearly for this honor; and others fared in like manner. I soon recovered from my indisposition, and took the first opportunity and fled for Canada, leaving Cossit, Cole, Peters, Willis, Porter, Sumner, Papin, etc., in close confinement, where they had misery, insults, and sickness enough. My flight was in 1776, since which my family arrived at Montreal and informed me that many prisoners died; that Capt. Peters had been tried by court-martial and ordered to be shot for refusing to lead his company against the King's troops. He was afterwards relieved, but still in gaol, and that he was ruined both in health and in property; that Cossit and Cole were alive when they came away, but were under confinement, and had more insults than any of the loyalists, because they had been servants of the Society, which under pretense (as rebels say) of propagating religion, had propagated loyalty, in opposition to the liberties of America.

This statement is probably somewhat exaggerated. The Rev. Mr. Cossit was confined in Claremont for four years, but he continued his church services and administered the Lord's Supper the first Sunday of every month, so that his confinement could not have been very close. He says that the number of his parishioners increased during this time. He left Claremont in 1785 and went to Sidney, in the island of Cape Breton, where he died in 1815.<sup>4</sup>

The Episcopal Church at Cornish was organized in 1793, in consequence of the conversion of Philander Chase, a student in Dartmouth College, through the devout reading of the Book of Common Prayer. The diocese including this church was formed May 25, 1802. The Episcopal Church at Holderness was greatly indebted to the Livermore family. The church edifice was built upon land belonging to Judge Samuel Livermore, in 1797, though services had long been held in a large, unfurnished room. Robert Fowle, ordained in 1789, was styled Priest Fowle and held office as rector for fifty-eight years.

Mrs. Rachel (Thurber) Scammon of Stratham has the honor of being the first Baptist known in New Hampshire. She had embraced the principles of that denomination before settling in Stratham in 1720. During fifty years by private conversations and distribution of literature she obtained only one convert, a woman, who repaired to Boston and was there immersed. The Baptist church was not erected in Stratham until after the death of Mrs. Scammon, when a revival occurred, and among the converts was Dr. Samuel Shepherd, a young physician, who was led to embrace the Baptist belief by reading Norcott on Baptism. He became an influential missionary and organizer of Baptist churches. The first organized church of the Baptists of New Hampshire was at Newton in 1750 or 1755, the authorities differing as to date. By the end of the century they had gathered forty-one churches, thirty ministers and 2562 communicants, and their State Association was formed in 1785. The revival led by Whitefield fostered the Baptist movement. Their theology was the same, and the same earnestness of spirit characterized them. Laymen took part in evangelization. So rigid was the Calvinism of the early Baptists that they became

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<sup>4</sup> Hist. of Claremont, by Otis F. R. Waite, pp. 97-99.

known as "Hard Shells." They had a definite religious experience, and immersion and close communion separated them from other Christian societies. The English Baptists have long practiced open communion with all acknowledged followers of Christ, but the American Baptists, until recently, have been quite strict in excluding all who have not been regularly baptized, that is, immersed. Such strictness is now fast disappearing.<sup>5</sup>

"We must bear in mind," says a Baptist historian, "that all were set down as Arminians who did not come up to the highest point of Hyper-Calvinism." This he accounts one of the three great evils among the Baptists of that time and remarks upon the change that took place during the first half of the nineteenth century. Calvinism and Arminianism were the words applied to the teachings of those who followed in general the doctrines of John Calvin or of James Arminius, wherein unconditional election was opposed to free grace and a universal call unto salvation. The Calvinists were accused of being Antinomians, who made void the moral law. Some went so far as to oppose morality to religion and hold up the moralist as the subtlest kind of a sinner. This nonsense has not yet ceased entirely.

It is noticeable that religious denominations have arisen and flourished by laying emphasis upon one special feature of Christianity. The whole truth is too vast to be grasped by one person or group. One phase of truth seems to be adapted to some souls; another phase to others. Free grace is the shibboleth of one sect; divine sovereignty, of another; the inner light, of another, the witness of the Spirit, of another; and so there have arisen bands of zealous and devoted enthusiasts to propagate their intense convictions and tell their experiences. No denomination seems to have been broad enough to allow and encourage its members to think and believe as they must, to welcome truth from every source, to cultivate the type of piety that each preferred, and to insist only that all should be lovers and imitators of the Highest Ideal. Emphasis too often has been laid upon non-essentials as vital to piety, and an outward ceremony has been esteemed a necessary condition of salvation. The means have been mistaken for the end, and the goal desired by all good men has been obscured by controversy.

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<sup>5</sup> Hist. of Baptist Denomination, by David Benedict, 1813, pp. 315-332.

The Baptists of New Hampshire split off from the Congregationalists, denying the validity of infant baptism and insisting on immersion of adults as alone valid. Soon some of their own number began to be dissatisfied with Calvinistic doctrines, while agreeing as to water baptism. They laid stress upon the freedom of the human will to decide individual destiny, and hence were called Freewill Baptists. In more recent times they have preferred the name, Free Baptists. The founder of this denomination was Benjamin Randall, born at Newcastle, February 7, 1749. He listened to the preaching of George Whitefield, when he came to Portsmouth in 1770, and was strongly impressed. The death of Whitefield soon after produced pungent convictions, and after some time spent in self-inspection, study of the Bible and prayer he united with the Congregational church. His heart prompted him to exhortation and he spoke, as opportunity offered, with great pathos and power.

Further study convinced Randall that immersion was the only biblical form of baptism, and such authority was binding upon his conscience. Therefore he got himself immersed and joined a Baptist church. This made him happier than ever before, as every step in obedience to conscience must, whether the conscience follows an enlightened reason or not. He began to preach but could not declare the doctrines of election, as taught by the Baptists. For this he was called to account, and some disowned fellowship with him and called him a heretic, word of ominous meaning. Randall's reply was, "It makes no odds with me who disowns me, so long as I know that the Lord owns me." He had already settled in New Durham and here was his home for the remainder of his life. In 1780 he was ordained as an evangelist, though he had been preaching gratuitously for several years. He never had any stated salary or compensation for evangelization. His whole life was a labor of love for the spiritual welfare of others. Traveling throughout New Hampshire and Maine he had revivals and organized churches, especially in neglected regions and where thoughtful people were tired of the extreme doctrines of Calvinism. Associated with him in the organization of the Freewill Baptist Church were the Rev. Tozier Lord of Barrington and later of Acton, a Baptist minister who sympathized with Randall's

beliefs and aims, yet never united with the new denomination. The Rev. Edward Lock, who had gathered churches in Loudon and Canterbury, was disowned by his Calvinistic brethren of the Baptist church and was ordained by Mr. Lord and a layman, to preach a more liberal gospel. John Shepherd of Gilmanton identified himself with the new movement and thought that he had a divine revelation of the plan of polity adopted by the Freewill Baptists. He was a Ruling Elder for sixty-four years. Another Baptist minister was the Rev. Pelatiah Tingley of Sanford, Maine, who rejected the doctrine of unconditional election and gave his sympathy and aid to Randall and his associates. The Rev. Samuel Weeks of Gilmanton was another sympathizer, who was forced by the oppositions of his church to remove to East Parsonsfield, Maine. The Rev. Daniel Hibbard of Maine also left the Baptists to lend his aid to the advocates of free will and free grace. Thus seven Baptists, four of whom had been ordained ministers, were the real founders of the Freewill Baptist denomination. At the end of ten years the new denomination had twenty churches and eight ministers, who rendered much service as itinerant evangelists. In the year 1800 there were six Quarterly Meetings, fifty-one churches, many of them in Maine, twenty-eight ordained ministers, and twenty-two unordained. The estimated number of church members was then about two thousand.

Benjamin Randall died at his home in New Durham, October 22, 1808, aged fifty-nine years. Fifty years later the Free Baptist churches erected a suitable monument at his grave. It is of Italian marble on a block of granite, symbols of purity and enduring strength. He has been described as "a man of medium size, or a little below, erect and gentlemanly in his appearance. His features were sharp, his eyes of a hazel color, and the general expression of his countenance was grave and dignified. His deep piety and fervent spirit gave a characteristic sweetness to the tones of his voice, and he usually wept as he preached. His gestures were few, and, as a speaker, he was calm, argumentative and very impressive. His perception was great and his memory strong. He was somewhat nervous in temperament, quite sanguine in his opinions, very conscientious in what he thought was right, and his reproofs were often

administered with cutting severity. He had little patience with the fashions of the world and a spirit of avarice he could not endure. There were other men of more extensive reading, but few of keener observation, or greater reflection. He studied the works of men and the creations of God, the books of men and the word of God, the ways of men and the providences of God.”<sup>6</sup>

At least two of the Freewill Baptist churches were soon turned aside to become followers of the system of faith and practice, of which Ann Lee is the acknowledged head. They were first known in England as Shaking Quakers, and then as Shakers. The communities at Enfield and Canterbury have flourished for over a century. The latter was founded in 1782. Elder Henry Clough and Benjamin Witcher were leaders in the movement. The latter donated to the society a farm of one hundred acres, on which the Shaker village at Canterbury is built.

The two distinguishing principles of the Shakers have been and are celibacy and communism. The founder and some others have received, as some think, special revelations from God, the result, as others think, of hypnotic trance. Some have objectified their fancies and have seen the Lord. Orderly and moral conduct and financial prosperity have marked their career. They are careful to admit to their society only the sincere and truly repentant. No private property is allowed. The peculiar dancing and marching ceased long ago, and their preaching and religious services have little to distinguish them from other denominations. The Shaker societies are a sort of compound of convent and monastery for Protestants who would withdraw from the world and live a quiet, unambitious life. The society at Enfield was founded in 1792, under the administration of Job Bishop, who once welcomed President James Monroe as a visitor in truly laconic style, “I, Job Bishop, welcome James Monroe to our habitation.”

The history of the Universalist Church in New Hampshire begins with the preaching of the Rev. John Murray in Portsmouth, in 1773. One of his converts was the Rev. Noah Parker, of a distinguished family, who long was an ardent exponent of that faith. The first Universalist church, in Portsmouth, was founded in 1780. Four others were in existence in 1800, and the first general convention of the denomination was held at Winchester, in 1796.

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<sup>6</sup> Hist. of the Freewill Baptists, by Rev. I. D. Stewart, pp. 46-7.

Itinerant preachers quickly scattered the doctrine in the towns bordering on Massachusetts and along the Connecticut river. The movement was largely intellectual and drew in those who were dissatisfied with the partialism of Calvinism. It was a revolt of head and heart against a monstrous system of divine government as formulated by logic on erroneous premises. In the orthodox churches there had been ministers and laymen who for a long time had cultivated the Eternal Hope, just as there are now thousands of Universalists in theory, who belong to other denominations. The Calvinists had been forced by logic to admit and assert that all for whom Christ died would eventually be saved. Starting from that premise it was only necessary for the Universalists to show from the Bible, that Christ died for all. The controversy was between a limited and a general atonement, as then understood. Some irreligious persons jumped to the conclusion that all would be saved in the next world and were ranked as Universalists, without uniting with that denomination or any other, overlooking the plain truth, that salvation is not by theory, but by character. The belief, that sin and suffering must in the course of the ages cease, has been growing in theological thought and in the spiritual intuitions of many of the wisest and best. Such a conclusion seems to many a necessary deduction from the character of God as a being of infinite wisdom, love and power.

Toward the end of the eighteenth century began the division of the Congregational churches into Unitarians and Trinitarians. The movement had little spread in New Hampshire, since only four churches and two parishes took the name Unitarian. The majority of church members then, as now, could not define and state their beliefs on abstruse philosophical subjects, and many Trinitarians, so called, have been in reality Tritheists or Modalists, to use ancient theological terms. Neither theory has much affected religious life and character. There seems to be no good reason why honest people can not worship together and love one another, in spite of conflicting theological opinions. The early Unitarians differed but little from the Universalists as to final conclusions. The former contended for the brotherhood of man, and the latter for the fatherhood of God. The Unitarians said that man was too noble a being to be damned, and the Universalists said, that God was too good a being to damn him. The deity of Christ was preached by early

Universalists, while the Unitarians were satisfied with his divinity. All denominations unite when they try to imitate him and reproduce his spirit.

Methodism had its origin among scholars, at Oxford University. John and Charles Wesley, George Whitefield and "the Seraphic Fletcher" were its leading spirits. Its founders intended it only as a revival movement within the Anglican Church, but opposition led to the formation of a new denomination in England after the death of John Wesley, who as a scholar, preacher, organizer and evangelist has few equals in the history of the entire Christian Church. Itinerant preachers introduced Methodism into the colonies as early as 1766, but it did not reach New Hampshire till 1790, when that celebrated man, Jesse Lee, brought it to Portsmouth. He and others visited the place from time to time and a class was formed. No Methodist church was organized in Portsmouth till 1808, and the only Methodist church in New Hampshire before the end of the eighteenth century was that established in Chesterfield in 1794. Itinerant lay-preachers were soon vying with the advance guard of other denominations in spreading the gospel of Methodism. Full of zeal and remembering that Wesley had said, "The world is my parish," they sought to establish classes and churches in cities, villages and wherever converts could be gathered. Few of the itinerants were educated in the schools and colleges, but lay-preachers were often men of great natural gifts, well acquainted with the Bible and with the love of God and man flaming in their souls.

The Methodists were more liberal even than the Freewill Baptists, for while both offered salvation to "whosoever will," the Methodists allowed every believer to choose his own mode of baptism, and most of the converts preferred sprinkling to immersion. The class-meetings were a distinctive institution, now fast vanishing away, in which every member from week to week told something of his religious experience, to free his own mind and lend encouragement and advice to others. Stress was laid upon the emotional and almost the miraculous in the experience of conversion. The Methodists revived the New Testament doctrine of the Witness of the Spirit, and some gave it an exaggerated interpretation. According to tradition, unless one could tell the room in the house and the board in the floor and the nail in the board where he was converted, he lacked positive

assurance. There was something more for him to seek and find. This sometimes led to fanaticism on the one hand and discouragement on the other. Strange subjective experiences were mistaken for evidences of divine forgiveness. Visions were seen and voices heard and nervous thrills felt, varying with temperament and education, with fastings and vigils. In spite of errors and extravagances the doctrine that the divine Spirit reveals His presence in the human spirit, convicting of sin and testifying to pardon on genuine repentance, contained a mighty truth and accounts for the spread of Methodism more than any other factor. It was opposed to the Calvinistic dogma, that only the elect of the elect could know their sins forgiven. If all the elect were to be assured of their salvation, it would be equivalent to a separation of the sheep from the goats in this world, and would foster presumptuous sins. Their doctrine of non-assurance was thus formulated and handed down by opponents,—If you seek it, you won't find it; if you find it, you won't know it; if you know it, you haven't got it; if you have it, you can't lose it; and if you lose it, you never had it. To this may be offset the argument of a colored boy, who said that he would not like to get religion and not know it, for fear that he might lose it and never miss it.

Thus at the end of the eighteenth century there were at least four strong bands of itinerant preachers, with different types of Christian doctrine and experience, proselyting from the old established orthodox church and winning adherents from among the ungodly. There was no longer a State Church, and the most fastidious person might easily find a religion to suit him. If he could not, he was at liberty to invent one, or to go without any,—if he could.

It would seem as though so many different kinds of religion, propagated with zeal and self-sacrifice, would quickly have produced a better state of morals, yet we read that from the time of the revolutionary war till the close of that century immorality prevailed to an unusual degree. Some assign as reasons therefor the introduction of French infidelity and laxity of morals that accompanies an army. May it not be, however, that more stress at that time was laid, by all the churches, upon correctness of creed and emotional experience than upon

God's orthodoxy, which is conformity of life and conduct to the highest known standard of moral law. Ministers and deacons were allowed the use of intoxicating liquors, not always to moderation, and the holding of slaves. Lotteries were organized and patronized by leaders in the churches. It is no wonder that gambling and intoxication were known in the logging camps. The records of the churches show that the social evil was as often brought to light among church members as it was exposed in the civil courts among the "world's people." Church discipline was lax, and too often a profession of faith was a substitute for reformation of conduct. Backsliders remained in the churches, to nullify its influence for good. There were no Sunday Schools for the training of the young, and the catechism was neglected in most of the homes. The lawlessness, which we now read of as rampant on the western frontier, was then known in the border towns of New Hampshire and Vermont. The public inn took the place of the modern saloon, and the corner grocery store was well stocked with New England rum. There can be, as a possibility, morality without any acknowledged form of religion, but there can not be true religion without conformity to moral law. The eighteenth century had not felt the full force of that truth.



Chapter XIII

THE SCHOOLS OF THE EIGHTEENTH  
CENTURY



## Chapter XIII

### THE SCHOOLS OF THE EIGHTEENTH CENTURY.

ONE of the first schools in New Hampshire of which there is any record was at Dover Neck. In 1658 Charles Buckner was employed to teach reading, writing, casting of accounts, and Latin. The town voted twenty pounds for this purpose. He was chosen clerk of the writs in 1662 and in 1668 he was of Boston. Doubtless there were schools in private houses before the date here given. In 1647 Massachusetts enacted a law, that townships of fifty freeholders should support a public school. Philemon Purmont and Daniel Maud were schoolmasters in Boston in 1635 and 1636. The former removed to Exeter in 1638 and the latter became minister at Dover Neck in 1642. Probably both of these taught school in New Hampshire before Charles Buckner. John Legat was employed by Hampton, in 1649, to teach the children of that town.

In 1693 a law was enacted, requiring the selectmen in the respective towns to raise money for the building and repairing of school-houses and for providing a schoolmaster for each town, under penalty of twenty pounds in case of failure.

In 1708 the Council and Assembly voted that a Latin school be kept in Portsmouth. The schoolmaster was to have fifty pounds per annum, besides tuition fees determined by the selectmen. It was a free school for "writers, readers and latinists." Portsmouth was required to pay twenty-eight pounds, Hampton, eight pounds, Exeter, six pounds, Dover, six pounds, and New Castle, forty shillings. The plan was to continue two years, and selectmen were responsible for the raising of the money. This was the first Latin school in New Hampshire.<sup>1</sup>

In 1718 it was voted that the selectmen be empowered to hire two school masters for Portsmouth, one for the Latin School and the other to teach "reading, writing and cyphering."<sup>2</sup>

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<sup>1</sup> N. H. Prov. Papers, III., 365.

<sup>2</sup> *Id.* p. 718.

In 1719 every town of fifty householders was required to provide a schoolmaster to teach reading and writing, and every town of one hundred householders was required to have a grammar school, kept by "some discreet person, of good conversation, well instructed in the tongues." Failure to provide such schools subjected the selectmen to a fine of twenty pounds. In 1722 Dover was exempted from maintaining a grammar school by reason of the Indian war, and in 1727 Londonderry was exempted from supporting a grammar school, considering the infancy of that town, providing they have two schools for writing and reading.

School-houses were rare at first, and a room in some farmhouse served the purpose as well. The acquisition of knowledge depends but little upon external surroundings. The curriculum was confined to three studies, but those who learned to read had the firm basis of scholarship. All that was needed thereafter was a few good books, the contents of which were mastered completely. They had more than books to study. Men and nature were ever at hand. People thought more when they read less. There was no cramming for examinations. There were no graded schools. Geography, grammar, algebra, the sciences, history, philosophy,—these and much more that public schools now have were then unknown. But they learned much then, the things that were of use, how to do things. The boys learned to raise everything that would grow on a farm, without any scientific knowledge of agriculture. They could tell all the different trees in the forest and what they were good for. They knew the wild animals and how to shoot or trap them. They could handle the tools of carpenter and mechanic and make farming implements and rude articles of furniture. Why should not such knowledge be reckoned a part of a liberal education? Is anything gained by leaving out the useful arts and studying ancient languages? The struggle for existence and progress in material gains was a school for those early days, a school that developed character and abilities. Then men were drawn out, educated, evolved, and became strong to do, to bring things to pass. One may be stuffed with literature and become an imbecile.

The schoolmasters were sometimes the ministers, or grad-

uates of Harvard who were gathering a little money and experience preparatory to a profession, or emigrants who had come to a new country to seek their fortune. Among the latter were some notable men from Ireland, well trained in the schools of their native land. One of these was John Sullivan, father of General Sullivan of Durham. He spent his life as a schoolmaster in Berwick, Maine, and in Somersworth. In the latter place he swept and took care of the meeting house to increase his earnings. The possession of several languages did not make him too proud for manual labor.

Hercules Mooney was another Irish schoolmaster, probably from Trinity College, Dublin. He came to America in 1733 and began teaching in Somersworth. He taught in Durham from 1751 to 1766. He had a captain's commission in 1767 and took part in the Crown Point expedition, being captured and robbed when Fort William Henry was taken by the French and Indians. Afterward he taught in Lee, where he was selectman and representative to the General Court. He rose to rank of major, lieutenant-colonel and colonel in the Revolution. Later he removed to Holderness, where he represented the town four times. He died in 1800 and was buried on his farm about a third of a mile from Ashland. Few men of his time did more for the development of New Hampshire. The nameless impress of his character was upon hundreds of pupils, and he rendered great service as a military and civil officer.

Henry Parkinson was born in Londonderry, Ireland, in 1741, of Scotch parents, with whom he came to America in 1744. After graduating at Nassau Hall, Princeton, he came to Londonderry, whence he went into the revolutionary army as quartermaster and served about two years. After living some years in Francestown and Pembroke he taught a superior school in Concord from 1784 to 1794. Then he removed to Canterbury and till his death in 1820 he taught the classics and fitted not a few students for college. His fame as a teacher drew sixty pupils, among whom he was beloved and revered.<sup>3</sup>

Edward Evans, born in Sligo, Ireland, came over about 1760 and settled in Chester, where he was the only instructor

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<sup>3</sup> Granite Monthly, Vol. V., pp. 215-219.

for several years. He was commissioned as Adjutant and served throughout the Revolution, fighting at Bennington and in the Jersey campaign. He is said to have taught his children in the fields. While resting from their work in the shade of a tree they listened to his instructions and wrote down rules and problems on birch bark. He lived at Salisbury after 1775. For a while he was private secretary of General Washington and also of General Sullivan.

Other noted Irish schoolmasters were William Donovan of Weare, Maurice Lynch and Tobias Butler of Dublin.<sup>4</sup>

It is not to be supposed that all the schoolmasters of New Hampshire were of the sort indicated by these choice specimens from the Emerald Isle. In 1771 governor John Wentworth thus addressed the legislature;—"The insufficiency of our present law upon the subject of schools must be too evident, seeing that nine-tenths of your towns are wholly without schools, or have such vagrant foreign masters, as are much worse than none; being for the most part unknown in their principles, and deplorably illiterate."

It was not till 1789 that a law was made, requiring instruction in arithmetic to be given in the public schools. At the same time shire towns and half-shire towns were required to maintain grammar schools for teaching also Latin and Greek. School districts might be organized by authority of law in 1805, and in 1818 this was made obligatory. Sometimes the schoolmaster taught a singing-school in the evenings. The flogging of unruly and unstudious boys was customary and expected. To spare the rod was to spoil the child. Some schoolmasters ruled "with a rod of iron," metaphorically speaking, or literally with a ferrule and birch switch. They boarded around, and sometimes the school moved from house to house, or was kept in a barn or shop. The education received was just as good. There were many private, or family schools, to which a few neighbors might send their children. These supplemented the public schools.

Toward the end of the eighteenth century began the era of town Academies. Almost every populous and ambitious

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<sup>4</sup> Irish Schoolmasters in the American Colonies, by John C. Linehan and Thomas H. Murray.

town had an academy or seminary, which took the place of the modern high school. In such institutions boys were fitted for college, and sometimes girls were allowed the privileges of such schools, though the higher education of girls was not much in favor. The first academy of which we learn was Williams Academy, in Windham, commenced in 1768 by the Rev. Simon Williams. It continued till about 1790. Among its pupils were the Rev. Joseph McKeen, first president of Bowdoin College, the Rev. Samuel Taggart, who became a member of congress, Dr. John Park, and Governor Samuel Dinsmoor. The academy had forty or fifty pupils, some of whom came from Boston and Salem. The neighboring towns availed themselves of its privileges, and many a young man here got started on an honorable and useful career.

The Phillips Exeter Academy was opened in 1783, founded by John Phillips, son of the Rev. Samuel Phillips of Andover, Massachusetts, where he was born December 27, 1719. He was brother of the Samuel Phillips who founded the Phillips Academy, Andover. The two institutions have been friendly and progressive rivals ever since their beginning. John Phillips was fitted for Harvard by his father, at the age of twelve, and was graduated in 1735. He studied medicine and divinity but was never settled over a parish. He came to Exeter as a teacher and afterwards went into trade, by which he secured means to aid liberally Dartmouth College and to found the honored institution that bears his name. His gifts and legacies to the Academy amounted to sixty thousand dollars, the greatest sum, up to that time, that any educational institution in the country had received. The days of Leland Stanford and company had not yet come, and the New England colleges could not start out with an endowment of twenty millions of dollars. John Phillips was president of a board of trustees named by himself and virtually managed the Academy till his death, in 1795. The first Principal of the Academy was William Woodbridge, succeeded by Benjamin Abbot, who was immediately followed by Gideon F. Soule. Among the early professors of note were Hosea Hildreth, Francis Bowen, Daniel Dana, Samuel D. Parker, Joseph S. Buckminster, Alexander H. Everett, Nathaniel A. Haven, Jr., Nathan Lord and Henry

Ware. Many of its pupils have reflected honor on the institution, such as Lewis Cass, Daniel Webster, Joseph G. Cogswell, John G. Palfrey, Jared Sparks, Edward Everett, John A. Dix, George Bancroft and Richard Hildreth.

The first term of tuition at Atkinson Academy commenced April 1, 1789, though the institution was not incorporated till 1791, twenty-four years after the incorporation of the town. Soon after its birth young ladies ventured to present themselves as students, with some misgivings and criticisms, but their example was soon followed, and the institution has been co-educational. It at once attracted many students from other towns and is still flourishing as a beacon light upon a hill. About the year 1800 it had ninety pupils, afterward increased to one hundred and forty. The early Principals of the Academy were Moses Leavitt Neal of Londonderry, Daniel Hardy of Pelham, Samuel Moody of Newbury, Silas Dinsmore of Windham, Stephen P. Webster of Haverhill and John Vose of Bedford. These became honored men as educators and legislators.

The town of New Ipswich had its grammar school before the Revolution wherein the ancient languages were taught. In 1787 an association of men became responsible for the maintenance of an academy for five years. The tuition was twelve shillings quarterly in advance, and John Hubbard was the first preceptor, at a salary of sixty pounds annually. He was afterwards professor in Dartmouth College. The academy was incorporated in 1789, the second institution of the kind in the State. It was aided to some extent by Dartmouth College and was a fitting school for that institution, sending ten students there in 1791. It has been co-educational and for a long time annually sent one young man of the town to college. "Among them we enumerate a President, a Professor and a Tutor of a College; twenty clergymen, three of whom have become missionaries; eight physicians, twelve lawyers, four of whom have become judges; and numerous instructors." Thus it was written in 1852.<sup>5</sup>

Gilmanton Academy was chartered in 1794. The teachers and students were exempted from military duty. The academy "is to encourage and promote virtue and piety and the knowl-

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<sup>5</sup> Hist. of New Ipswich, p. 213.

edge of the English, Greek and Latin languages, Mathematics, Writing, Geography, Logic, Oratory, Rhetoric, and other useful and ornamental branches of Literature." The first building was destroyed by fire in 1808. Within five weeks another building was erected. A considerable village grew up around it, and here were held town meeting and the county courts. Grants of land were made to aid it, and its property was freed from taxation. Hon. Joseph Badger was first president of the board of trustees, and Peter L. Folsom, a graduate of Dartmouth College and a citizen of the town, was the first preceptor, holding that office six years. He was succeeded by Calvin Selden, afterwards a prominent lawyer in Maine. The academy has flourished from its beginning and at times has had one hundred and twenty-five students. Its teachers and alumni have contributed much to the welfare of the State.

Deerfield Academy was founded about 1798 by the leading men of that town. Phineas Howe was its first preceptor, who served till 1812. Later the academy building was sold to the Parade School District and was destroyed by fire in 1842.

Chesterfield Academy was incorporated in 1790, though the Rev. Samuel Crosby had opened a school there as early as 1780. He was succeeded by Abraham Holland as Preceptor, and Abner Cheney followed him. The Rev. Dan Foster had also a select school in Chesterfield from 1796 to 1810.

Charlestown Academy was incorporated in 1791. Peter Stone had given some money to establish it. Sheldon Logan was its first preceptor. This school is said to have ranked, for a long time, as second only to Phillips Exeter Academy and to have attracted students from all neighboring towns and even some from southern States. The original academy building was two-story and stood on the common, a few rods from the old meeting house, at the Centre village. It was burned in 1859. The new building after that became a High School.

February 17, 1791, there was an act to establish an academy at Amherst, which had been previously called the Aurean School. Charles Walker, son of Judge Walker of Concord, was its first Principal. This institution was closed in 1801 for lack of funds.

Haverhill Academy was incorporated in 1794, a building

having been erected the year before, in the upper story of which the county courts were held for many years. The institution has continued till the present time, and has educated many honored men, among whom was Justice Nathan Clifford of the United States Supreme Court. Its Principal in 1836 was Peter T. Washburn, who became governor of Vermont. The first wooden building was burned in 1814, and a stone structure succeeded it. It was thoroughly repaired in 1880 at an expense of one thousand dollars. This school has a long and honorable career and has given special attention to fitting students for college. It needs an ample endowment.

There was an academy at Plainfield, in 1785, that with the academy at New Ipswich was associated with Dartmouth College as a beneficiary and helper. This was, doubtless, the precursor of Kimball Union Academy, established in 1813.<sup>6</sup>

The founding of Dartmouth College has been narrated in a preceding chapter. Its growth was rapid and remarkable. In September, 1772, there were seventy in attendance, including eighteen Indians. In November, 1774, there were one hundred students, twenty-one being Indians. The number of students fell off during the Revolution, and fewer Indians appeared thereafter, the last one leaving in 1785. But in 1786 the number of students was again one hundred, and in 1790 one hundred and sixty were enrolled. A large majority of them came from outside of New Hampshire. The college, in 1791, graduated, with the degree of Bachelor of Arts, forty-nine men, to twenty-seven each to Yale, Harvard and Princeton. In the decade 1780 to 1790 Dartmouth graduated 363 men, Harvard 394, Yale 295 and Princeton 240.<sup>7</sup> Dr. Jeremy Belknap attended the college commencement in 1774 and from him we learn its character. He was six days in making the journey from Dover. He says the college building was seventy or eighty feet long and thirty broad, containing twenty chambers. The hall was a distinct building, serving also for a meeting house, and the kitchen was in one end of it. There was a president's house, and a new college building was then talked of, to be built of stone from a neighboring quarry. About a mile distant were saw and grist mills, run by six

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<sup>6</sup> Chase's Hist. of Dartmouth College, p. 585.

<sup>7</sup> The Story of Dartmouth, by Wilder D. Quint, p. 76.

of the college students, who were thus paying their way. They took the mills at the halves. The commencement exercises began at eleven in the forenoon, in a large tent. First there was a prayer by the president; then an English oration by one of the bachelors, complimenting the trustees; then a syllogistic disputation on the question, *Amicitia vera non est absque amore divina*; then a philosophic oration; then an anthem; then a forensic dispute, whether Christ died for all men; then another anthem; then dinner at the president's house and in the hall. In the afternoon the exercises began with a Latin oration on the state of society, by Professor Ripley; then there was an English oration on the imitative arts, by John Wheelock, who became the second President of the college; then the degrees were conferred and Latin diplomas were given; after that two bachelors spoke a dialogue of a humorous character, on good eating and drinking. An anthem and a prayer concluded the public exercises. There was a large concourse of people. "The Connecticut lads and lassies, I observed, walked about hand in hand in procession, as 'tis said they go to a wedding.<sup>8</sup> With all the preaching, chapel exercises and study of religion to which the students were obliged to submit they are described as "unruly, lawless, and without the fear of God." One night they burned the Commons Hall. They acted plays upon the stage that offended piety and decency. In the class of 1799 there was only one man that was a professor of religion.

John Wheelock succeeded his father as president, so named in his father's will. It was, evidently, the thought of the Wheelock family that the institution was almost privately owned, although it had a board of trustees and money was solicited and obtained for it, both in Europe and in America. During this time the college had a continuous struggle with poverty and was usually in debt. The president resigned his military commission as lieutenant-colonel to take the office almost thrust upon him, and he served gratuitously the first seven years. No wonder that he felt he had a right to rule. His asserted obstinacy led to divisions, that may better be related in a subsequent chapter. In spite of all difficulties the

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<sup>8</sup> Chase's Hist. of Dartmouth College, Vol. I., p. 290.

college continued to grow, and the Medical School was founded in 1797.

The struggle with debt was continuous, and the efforts to secure funds and land grants were very discouraging. The township of Landaff had been granted in 1764 to James Avery and others, and the grant had been forfeited by non-performance of the conditions prescribed. The forfeiture was declared by the governor and council without any judicial determination. At this time Samuel Fuller was the only settler in the town. In the year 1770 the township was regranted, this time to Dartmouth College, from which it was not far removed. It contained over twenty-five thousand acres of land. The conditions of the grant made it necessary that a road four rods wide should be made through the township within two years from the date of the grant, and that sixty families should be settled within four years. The town was incorporated in 1774. Up to this time fifteen hundred acres had been given to twenty families of settlers, and some improvements had been made on a college farm of two thousand acres on the Ammonoosuc river. Roads and bridges were built, and by the end of 1775 the college had expended about one thousand pounds. In 1779 the Rev. Ebenezer Cleveland was induced to settle in Landaff, with seven other families; a building for a public grammar school was erected on the college farm; and two hundred acres near the centre of the town were set apart for the school, which was maintained for two years and a half at the expense of the college. It was named the Phillips School, in honor of John Phillips of Exeter.

The political attitude of the river towns was ascribed to the influence of Dartmouth College, and this secured the opposition of some in the old part of the State. One of the principal opponents was Colonel Nathaniel Peabody of Atkinson, who with his friends bought out a large part of the original proprietors for five to six pounds for each right. A few years later they were selling these purchased rights for from one hundred to one hundred and twenty pounds. The land speculators were willing to ruin the college in order to make money. These speculators began to introduce settlers about the year 1781 and by 1788 more than sixty families had settled under their patronage and had forced nearly all the college settlers to surrender

and take new titles from the original proprietors or their assignees. This cut off an annual rent to the college of about one hundred pounds. The affair was taken to the General Court; efforts were made to compromise with Colonel Peabody and others; all was in vain and the trustees of the college relinquished all claims to the township in 1791, having expended in improvements and in defense of their claim about ten thousand dollars. Thus the provincial grant of land proved to be a damage rather than an aid. The State tried to compensate the college by granting, in 1789, a tract of land, now known as Clarksville, in the northern part of Coos county, estimated to contain forty thousand acres. Pressure of debt compelled the college to sell portions of this from time to time. The last remnants were sold in 1872. The aggregate amount received was about ten thousand dollars. Thus after a century the college got back about the amount of money expended on Landaff. In 1795 the State granted to the college the privilege of a lottery, by which it was hoped that fifteen thousand dollars would be "raised," but the net proceeds were only four thousand dollars. The price of a lottery ticket was four dollars, and eight hundred tickets were sold in Boston. The lottery was divided into seven classes, drawn at different times and places. The first five classes contained 8,555 prizes, ranging in value from six dollars to three thousand dollars. There were forty-one thousand tickets, so that the gross receipts must have been over one hundred and sixty thousand dollars. As only four thousand dollars were realized in profits, it would be interesting to learn where the rest of money paid in disappeared.<sup>9</sup>

Moor's Indian Charity School, established in Lebanon, Connecticut, by Colonel Joshua Moor, was removed to Hanover at the same time that the college was planted. It served as a fitting school for the college and is sometimes styled an academy. Here Indian youths were found from time to time well into the nineteenth century, but some years all were white, both male and female. It had thirty pupils in 1780, eighty in 1794. Nearly a quarter part of the pupils were charity students. The institution was supported by rents from lands, by tutitions, two dollars a quarter, and by gifts of the benevolent.

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<sup>9</sup>Chase's Hist. of Dartmouth College, p. 612.



## Chapter XIV

# ROADS, TURNPIKES AND CANALS



## Chapter XIV

### ROADS, TURNPIKES, AND CANALS.

Rivers as Highways—Mast Roads—Bridle Paths—Post Roads and Riders—  
Earliest Post Routes—Era of Turnpikes Built by Private Enterprise—  
Principal Lines of Travel—Six Hundred Miles of Turnpike—They gradually  
Were Abandoned, or Bought by Town or State—The Railroads May Learn a Lesson—  
The Middlesex Canal—Locks and Tributary Canals.

**I**N the earliest days the rivers were the highways. Produce and merchandise were transported in canoes or sailing vessels along the Pascataqua, Merrimack and Connecticut rivers. Portage around the falls and rapids and the propelling of boats by oars and poles made this a long and expensive way of transporting goods, yet it was easier than to pack freight on the backs of horses led along a bridle path. There were no roads for wheeled carriages for the first century or so. When towns became more thickly settled, attention was given to the construction of roads. These were laid out usually four rods wide, to provide for all future needs. Thus much land has been wasted, for more than half the width of country roads is left to briars and bushes, while the way actually prepared for carriages is often too narrow.

The first great roads skirted the river banks, because the settlements were there and the construction of roads was less difficult in the lowlands. The roads from river to river, over the height of land and through unbroken forests, were more difficult. In some instances these were first mast-roads, for the hauling of masts and ship-timber. Horsemen and ox-carts could pick their way along, where stages and chaises would be upset. It was the introduction of the private traveling carriage that necessitated better roads, just as the automobiles now are macadamizing our highways.

At the time of the revolutionary war it took travelers six days to go from Hanover to Boston. In 1771 Governor Wentworth made his trip to the college commencement by way of

Plymouth and Haverhill. The next year a sort of a road was opened from the college to Wolfeborough, but no carriage passed over it for many years. Every three weeks a postrider carried mail from Portsmouth to the college and returned. The postrider was Lieutenant Nathaniel Porter. The earliest post office had been established at Portsmouth before 1695 and it did business for the entire province. After postal routes were established the cost of sending letters was prohibitive of extensive correspondence. For forty miles it was sixpence, later reduced to eight cents for distance under forty miles, twenty cents for over three hundred miles and twenty-five cents for over five hundred miles. Every letter composed of two pieces of paper paid double those rates, and so the rates were proportioned to size and weight. In 1781 the General Court ordered that a suitable person be employed by the Committee of Safety to carry letters from Portsmouth to Haverhill, New Hampshire, by way of Concord and Plymouth, and from Haverhill down the river by way of Charlestown and Keene to Portsmouth. John Balch of Keene carried the mail over this route for two years, setting out from Portsmouth alternate Saturday mornings. About the year 1785 the route was from Portsmouth, by Exeter and Nottingham, Concord and Plymouth, to Haverhill, returning by Charlestown, Keene, Amherst and Exeter to Portsmouth. After 1787 a road was partly built from Hanover to Boscawen, by way of Moose Mountain to North Enfield and the east side of the pond to Canaan.

New Hampshire for the first time enacted a law, February 12, 1791, establishing four post routes and ten postmasters. The first route was from Concord, by way of Weare, New Boston, Amherst, Wilton, Temple, Peterborough, Dublin, Marlborough, Keene, Westmoreland, Walpole, Washington, Claremont, Newport, Lempster, Washington, Hillsborough, Henniker, and Hopkinton, to Concord; and Osias Silsby of Acworth was post rider.

The second route was from Concord, by way of Boscawen, Salisbury, Andover, New Chester, Plymouth, Haverhill, Piermont, Orford, Lyme, Hanover, Lebanon, Enfield, Canaan, Grafton, Alexandria and Salisbury, to Concord, and John Lathrop of Lebanon was post rider.

The third route was from Portsmouth, by way of Exeter, Kingston, Plaistow, Hampstead, Chester, Londonderry, Litchfield, Goffstown, Bow, to Concord, and return through Pembroke, Deerfield, Nottingham and Newmarket bridge to Portsmouth, and Samuel Bean of Weare was post rider.

The fourth route was from Portsmouth, by way of Dover, Rochester, Wakefield, Ossipee, Tamworth, Sandwich, Center Harbor, Plymouth, New Hampton, Meredith, Gilmanton, Barnstead, Barrington and Newmarket bridge to Portsmouth, and the post rider was Moses Senter of Meredith.

These routes made necessary only good paths for horsemen, but probably at that time on all these routes there were passable roads for wheeled vehicles. The routes changed with increase of population and growth of new towns. Even after the United States extended its postal system to New Hampshire, private riders were sometimes employed to carry letters and newspapers.

In the last decade of the eighteenth century began the era of Turnpikes in New Hampshire. In 1791 a petition was addressed to the General Court, asking for a road from Concord to Durham, that being the nearest point on the Oyster River branch of the Pascataqua, to which merchant vessels could sail. The petition represents that the roads from the sea coast inland were crooked and indirect and that trade would be greatly facilitated by straightening the same; that a road could be built from Durham Falls to Concord in thirty miles, thereby saving to the consumer the expense of forty-five miles of carriage, all of which had been demonstrated by survey and plans already drawn. The same year a committee was appointed with full powers to survey and establish this road, with a branch to Newmarket Bridge. Within the next twenty years fifty-two more turnpikes were laid out in New Hampshire.

The first turnpike extended from the Falls at Durham through Lee, a corner of Barrington, Nottingham, Northwood, Epsom, Chichester and thence to Concord. It was incorporated in June, 1796. After the building of the Pascataqua Bridge, in 1794, the turnpike was extended down the north side of Oyster River to Meader's Neck. This bridge was one of the wonders of New England. It was 2,362 feet long and 38 feet wide, built from Fox Point in Newington to Rock Island, thence to Goat

Island by an arch of 240 feet, thence to Tickle Point, on Meader's Neck, where there was a toll gate. The architect was Timothy Palmer of Newburyport, Massachusetts. The cost of the bridge was \$65,947.34 and it was sold half a century later for \$2,000. It gave way in 1830 and again in 1855, and six hundred feet of it were carried away by ice, February 18, 1855. It was never rebuilt, and therefore an important line of travel was closed. A century ago a caravan of one hundred teams might have been seen along the turnpike from Durham to Concord. It was the easiest and cheapest way of getting goods into and produce out of the valley of the Merrimack. There were eighteen toll-bridges in New Hampshire in 1819, estimated to have cost \$187,783.<sup>1</sup>

The second turnpike road extended from Claremont to Amherst. Its course was through Unity, Lempster, Washington, north corner of Windsor, southwest corner of Hillsborough, northeast corner of Antrim, part of Deering, Francestown, southwest corner of New Boston, and Mont Vernon to Amherst. The distance is nearly fifty miles. The road was completed in 1801 and stages were put upon it. This was for a time the main line of travel to Boston, and taverns were built along the route for the accommodation of travelers. The toll-gates were eight miles apart, and the charge was eight cents at each gate. At a proper bed-time the gates were locked.

The third turnpike extended from Bellows' Falls in Walpole through a part of Westmoreland and Surry, thence through Keene, Marlborough, Jaffrey, New Ipswich, and a corner of Mason, to the south line of the State, near Ashby in Massachusetts. The distance is forty-five miles. This road was incorporated December 27, 1799. At Ashby it connected with a direct road to Boston, and thus it was the main line of travel for the towns through which it passed.

The fourth turnpike in New Hampshire extended "from the east bank of the Connecticut river in the town of Lebanon, nearly opposite to the mouth of White river, eastwardly to the west branch of Merrimack river in the town of Salisbury or Boscawen." Its course was through Lebanon, Enfield, a corner of Grafton, Springfield, Wilmot, Andover and New Salisbury,

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<sup>1</sup> House Journal for 1819, pp. 53-55.

forty miles. It was incorporated December, 1800. There were four hundred shares, and the shareholders were largely people of Portsmouth, Hanover and Lebanon.

Branch Road and Bridge Company was incorporated June 16, 1802. This road extended from the south line of Fitzwilliam to the village in Keene, a distance of about fourteen miles, running through Marlborough.

The sixth turnpike road extended from the bridge over the Connecticut between the towns of Hinsdale and Brattleborough, through Hinsdale and Winchester to the line of Massachusetts at Warwick. The company was incorporated June 16, 1802.

The Dover turnpike extended from Dover landing, on the Cochecho river, near the bridge, through Somersworth and what is now Rollinsford, to the Salmon Falls, or Newichawannock river, at the landing just below the present bridge from Rollinsford to South Berwick. The company was incorporated December 21, 1803. This road is still much used.

The Coos turnpike, leading from Haverhill to Warren, about twelve miles, was incorporated December 29, 1803.

Orford Turnpike was incorporated December 27, 1803, and led from Orford bridge to Aiken's bridge in Wentworth.

A turnpike from the upper line of Bartlett, through the notch in the White Mountains, about twenty miles, was incorporated December 28, 1803.

The Charlestown turnpike, incorporated December 27, 1803, extended from the Connecticut river, through the central part of Charlestown and Acworth, to the second New Hampshire turnpike, in Lempster, about twelve miles.

The Mayhew turnpike, incorporated December 29, 1803, extended from New Chester to the east side of Newfound pond and thence through Plymouth and Rumney to the Coos turnpike. The distance is about forty-six miles.

Chester turnpike, incorporated June 12, 1804, extended about fourteen miles from Pembroke through Allenstown and Candia to Chester.

The Londonderry turnpike, incorporated June, 1804, led from Concord through Bow to Hooksett bridge, thence through Chester, Londonderry, the easterly corner of Windham and Salem to the state line, near Andover bridge, Massachusetts. The distance is about thirty-five miles.

Grafton turnpike led from near Orford bridge through Lyme, the northeast corner of Hanover, Canaan, the westerly part of Orange, Grafton, Danbury, and New Chester (Hill). It joined the fourth turnpike in the northwest corner of Andover. The distance is about thirty-five miles. This road was incorporated June 21, 1804.

The Jefferson turnpike, incorporated December 11, 1804, extended from the end of the turnpike from Bartlett through the Notch, through Bretton Woods, Jefferson and Lancaster to the meeting house. The distance is about eighteen miles.

The Croydon turnpike, incorporated June 21, 1804, extended from near the branch turnpike, where it intersected the fourth turnpike in Lebanon, through or between Plainfield and Enfield, New Grantham, Croydon, Newport and Lempster, to the second turnpike, in Washington. Its length was about thirty-five miles.

Cheshire turnpike, incorporated December 18, 1804, extended from the Connecticut river to Charlestown meeting house, through Langdon, a part of Walpole, Alstead, and Surry to the third New Hampshire turnpike in Keene. The distance is twenty miles.

Ashuelot turnpike, incorporated June 18, 1807, led from the turnpike in Winchester through Richmond to Fitzwilliam village, about fifteen miles.

Rindge turnpike, incorporated June 12, 1807, extended from the state line in the southwest corner of New Ipswich to the branch turnpike leading from Keene to Boston.

The Cornish turnpike, incorporated December 9, 1808, extended from Cornish bridge to the Croydon turnpike at Newport, a distance of eleven miles.

The Fitzwilliam Village turnpike, incorporated December 9, 1809, extended from Fitzwilliam to the state line.

Most of the turnpikes incorporated thereafter were short lines tributary to the main, or trunk, line of travel. Thus were constructed about six hundred miles of road by private corporations. Some roads paid for twenty years an average dividend of nearly five percent. They increased trade and travel, but soon objections were raised against them as private monopolies. It was felt that public roads ought to be owned by the

people collectively. There were various ways of evading the paying of toll. One by one the roads were made free, and in some cases something was paid by the state to the stockholders, who were willing to release their roads when they could no longer be kept up at a profit. Herein, perhaps, may be a lesson for the more recent railroads. If they can not be run and pay dividends, let them be surrendered to the state or nation at actual present value, and be managed by the public for the benefit of all the people. The experiment with turnpikes has worked well. Why should not the people as a whole own all their means of travel and transportation?<sup>2</sup>

The problem of cheap transportation early engaged the attention of traders and manufacturers. The roads, at their best, were tortuous and expensive. The waterways were blocked by numerous rapids and cataracts. It cost more than freight was worth to transport it several hundred miles. Hence only the bare necessities of life found their way into the interior and northern part of the State. Lumber could be floated down the rivers, and live stock could be driven to Boston market, but the products of manufactories could not be easily distributed, and water power went to waste, when not utilized for saw-mills and grist-mills.

The construction of the Middlesex canal was the outcome of a scheme to connect the upper Merrimack and the upper Connecticut rivers with Boston and open up a highway for commerce to the St. Lawrence. The distance from Charlestown, Mass., to Middlesex village, just above where Lowell now is, was only about twenty-seven miles. Then there were eighty miles of water way to Concord. From this place it was thought that a canal could be cut to the Connecticut, at Windsor, Vermont, by way of Lake Sunapee, and thence by use of intermediate streams to the St. Lawrence. The scheme originated with James Sullivan, later governor of Massachusetts, a native of what is now Rollinsford, New Hampshire. He was a brother of General John Sullivan. It was planned first to connect Concord, New Hampshire, with Boston in this way, and if

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<sup>2</sup> Most of the information above given about turnpikes was taken from a *Gazetteer of New Hampshire*, published in 1817, by Eliphalet and Phinehas Merrill. Cf. also the *House Journal* for 1819, pp. 55-57. The cost of turnpikes, up to 1819, was estimated at \$545,715.

that venture proved to be profitable, the increasing population of the country would lead to the completion of the entire scheme. A charter was granted to the Proprietors of the Middlesex Canal June 22, 1793. James Sullivan was president of the company. Of the two routes surveyed the rejected one became forty years later that of the Lowell Railroad. The canal was thirty feet wide and four feet deep. Its cost was half a million dollars, and it was opened to traffic in 1803. The confidence of the public in this enterprise is shown by the fact that each of the eight hundred shares of stock advanced from twenty-five dollars in 1794 to four hundred and seventy-three dollars in 1804. Then the market value steadily declined, though in 1816 stock sold at three hundred dollars a share.

"Following the construction of the Middlesex Canal came the requisite works to render the Merrimack river navigable from the head of the Middlesex to the town of Concord, being a series of dams, locks, and short canals to overcome the natural rapids and falls of the river. The first of these works was a lock and short canal at Wicasee Falls, three miles above the head of the Middlesex, at what is now known as Tyng's Island. No fall is now perceptible at that point, the Lowell dam having flowed it out. The second work, fifteen miles further up the river, at Cromwell's Falls, consisted of a dam and single lock. Then came dams and single locks at Moor's, Coos, Goff's, Griffin's, and Merrill's Falls. About a mile above Merrill's Falls were the lower locks of the Amoskeag, a canal next in importance to the Middlesex. It was only about one mile in length, but surmounted, by works of very considerable magnitude, the great fall of between fifty and sixty feet that now furnishes the water power for the manufactories of Manchester. Its construction was first undertaken by Samuel Blodgett as early as 1794, but it was not completed until 1807.

Eight miles above Amoskeag the locks and short canal of Hooksett overcame a fall of some seventeen feet; and six miles further on the Bow locks and canal afforded the final lift of twenty-seven feet to the level of the navigable water of the Merrimack river at Concord.

Short side canals with locks were subsequently built at the junctions of the Nashua and Piscataquog rivers with the Mer-

rimack to facilitate the passage of boats from the Merrimack to the storehouse in Nashua and Piscataquog villages.

For forty years this line of canals formed the principal channel of heavy transportation between the two capitals, and, except that the canals did not effectually compete with the stages for carrying passengers, they held the same position for transportation as is now held by their successor and destroyer, the railroad.

During the entire season of open river, from the time that the spring break-up of winter ice permitted navigation to commence, until the frosts of fall again closed it, this eighty-five miles of water was thronged with boats, taking the products of the country to a market at the New England metropolis, and returning loaded with salt, lime, cement, plaster, hardware, leather, liquors, iron, glass, grindstones, cordage, paints, oils, and all that infinite variety of merchandise required by country merchants, formerly classed under the general terms of "dry and West India goods." The original bills of lading show that they brought up from Boston, for consumption in the country, flour, corn, butter, and cheese, which plainly indicates that the people of the Merrimack river valley gave more attention in those days to lumbering and river navigation than to agriculture."<sup>3</sup>

The Middlesex Canal Corporation contributed over eighty-two thousand dollars towards the construction of the locks and canals of the Merrimack river. The receipts of the entire enterprise in 1812 were \$12,600 and rose to \$32,600 in 1816. One hundred and twenty-three feet of fall had to be overcome in going from the head of Middlesex canal to Concord. The expense of repairs was great, and the destruction of ocean commerce greatly affected inland trade. Had it not been for the railroad, however, this system of transportation must have been indispensable, enhancing greatly the value of lumber and agricultural products.

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<sup>3</sup> General George Stark, as quoted in McClintock's *Hist. of N. H.*, pp. 476-9.



Chapter XV

SETTLEMENT OF THE NORTHERN  
CONNECTICUT VALLEY



## Chapter XV

### SETTLEMENT OF THE NORTHERN CONNECTICUT VALLEY.

Attractiveness of Upper Coos—Chiswick or Littleton—Dalton—Lancaster—Jefferson—Stonington or Northumberland—Woodbury or Stratford—Cocksburne or Columbia—Coleburn or Colebrook—Stewartstown—Clarksville—All Town Histories Much Alike.

THE fertile intervals of Upper Coos attracted early explorers and settlers. The river and Indian trails guided the first scouts and adventurers. Hunters and fishermen roamed the forests of this region long before the time of the Revolution, yes, before the French and Indian War. Forts were built as defense against incursions of the St. Francis Indians from Canada. Neither Indians nor hardships have ever stayed the onward march of whitemen who were land-hungry.

The region now embraced in Littleton and Dalton was chartered as Chiswick in 1764. The town was then granted to James Avery of Groton, Conn., and many of his relatives, together with some of the friends of Gov. Benning Wentworth. On the northwest it extended nineteen miles along the Connecticut river, where for fifteen miles there is a succession of falls and rapids in a descent of three hundred and thirty-five feet, still going to waste.<sup>1</sup> According to the grant Chiswick contained about six square miles. The conditions of the grant were not fulfilled, and so this tract was regranted in 1770, under the name of Apthorp, in honor of George Apthorp, a merchant of London and friend of Mark Hunking Wentworth. The charter

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<sup>1</sup> Newspapers are now announcing a plan to develop this water power by the expenditure of \$6,000,000 in the erection of three dams. The first will be across the river at Monroe and will be 160 feet high. There is a natural gorge at this place. The dam would cost about \$2,000,000. The second dam is planned to be one hundred feet high and stretch across the river at Waterford, while the third will be eighty feet high and at the head of the fifteen mile falls near North Littleton. In connection with this is a scheme to raise the lower Connecticut lake seventeen feet for storage of water. The plans when carried into effect would develop five thousand horsepower, which would be distributed to manufacturing towns in northern New Hampshire and Vermont.

gives its area as 40,850 acres. Some gentlemen of Newburyport, Mass., including Moses Little, were the managers of the enterprise. In 1774 Dalton was set off as a separate town; the name Littleton was given to the southern part of Apthorp; and it was then incorporated. One of the active proprietors of Apthorp was Gen. Israel Morey of Orford.

The first settler was Nathan Caswell from Orford, who was born in Norwich, Conn., and married Hannah Bingham. He came in the spring of 1774, with wife and four sons, having previously built a cabin near where Parker brook empties into the Ammonoosuc river. The first night the family arrived a fifth son was born and was named Apthorp. The Indians were lurking around, and the next day Caswell and family retreated to Gunthwaite, now Lisbon, the next town south. Their cabin was burned by the Indians and some goods were stolen, but Caswell returned and built another cabin, to be swept away by a freshet the following spring. Then a log house was built on higher ground, with no iron, not even a nail, in its construction, except the crane that hung in the fireplace. In 1772 Jonathan Hopkinson arrived from Rhode Island with his large family and settled on the Connecticut meadows, about four miles from Caswell. A few years later came Peleg Williams, Robert Charlton and Moses Blake. The last received a deed of three hundred and twenty acres for cutting a road from Haverhill to Lancaster. An ox-team could get through in spite of stumps and lack of bridges. Blake settled at the confluence of John river and the Connecticut, in 1782, in what is now Dalton. During the Revolution, from 1775 to 1780, there were but sixteen inhabitants in the town, yet the Caswell and Hopkinson families furnished soldiers for the war. Other early settlers were John Chase, Luke Hitchcock, James Rankin, Sargent Currier, Capt. Thomas Miner, Whitcomb Powers, Samuel Learned from Maine, and Solomon Parker. In 1782 the first grist mill was built by Jacob Bayley on Rankin Brook, which soon fell into decay, since every patron had to be his own miller. The first town meeting was held in 1787, when John Young was moderator, Robert Charlton clerk, and the selectmen were Samuel Learned, John Chase and Peleg Williams.

A populous village has grown up in the eastern part of the

town of Littleton by reason of the fertile fields and extensive water power on the Ammonoosuc river. The White Mountain Railroad brings many tourists to this region. A Congregational church was organized in 1803, with the Rev. Drury Fairbanks as pastor, and the first meeting house was finished in 1815. There are now five or more churches, representing the leading denominations of New England. Littleton has its newspaper and public library, its banks and varied manufactories. The air and scenery are worth a journey; farming and manufactures entice many to stay.

The Apthorp proprietors quit-claimed a tract of ten thousand acres, which had been vacated by Lancaster when it changed its boundaries, to Col. John Hurd and he sold the tract to Tristram Dalton and Nat. Tracy. These bought six thousand acres more from Moses Little, and on the same day that Littleton was incorporated, November 4, 1784, Dalton also became a chartered township. The town was named for its principal owner, the Hon. Tristram Dalton of Newburyport, Massachusetts, a graduat  of Harvard, prominent in the politics of his State and senator in the first United States congress after the adoption of the national constitution. He never lived in Dalton.

The next settler after Moses Blake was Walter Bloss, and then soon followed Coffin Moore. The first town meeting was held July 26, 1808, at the dwelling house of Joshua Whitney, innkeeper. Joel Crandal was moderator, and Agrippa Warren was clerk. Among other early settlers were Paul Cushman, John Blakslee, John Cram, Amos Kidder, Levi Osgood, William Wallace, John Crane, and Jared Barker. Three school districts were organized in 1809. A Congregational church was organized in 1816 and the first meeting house was erected in 1830. Lumbering and farming have always been the industries. The white pine that once covered a large part of the township has disappeared.

On the easterly boundary of Dalton lies Whitefield, an irregular township formed from what was left over after surrounding towns had been granted. Whitefield is supposed to have been named for the famous evangelist, George Whitefield, although the earliest records call the place Whitefields. It was

granted in 1774 and incorporated December 1, 1804. The grantees were mainly from the southern part of the State, and few if any of them ever saw the town. The first proprietors, meeting was held at Dunstable and Col. Samuel Adams presided. Some have thought this to be the revolutionary patriot of Boston, but it may have been Col. Samuel Adams of Exeter, son of Lieut.-Col. Winborn Adams of Durham. At the first town meeting, in 1805, there were but eight voters in the town. Major John Burns, the first settler, was chosen moderator, and Col. Joseph Kimball was clerk. John McMasters from Frances-town was another early settler. Whitefield has an acreage of over twenty thousand, about one-third of it improved land. Lumbering has been the principal business.

Lancaster, the next town north of Dalton, was first called Upper Coos. It stretches for ten miles along the Connecticut river, as fine meadow land as can be found anywhere, a mile wide. Then rise the uplands, good also for agriculture. As originally granted in 1763 Lancaster lay further south and included most of Dalton and a part of Whitefield, but the first settlers soon saw that their grant did not extend far enough north to take in all they wanted of the rich meadow land. So Lieutenant Joshua Talford was employed to resurvey the town. He went up the river seven miles beyond the original northern limit of the town, fixed arbitrarily upon a tree for a starting point and ran the northern line where it was wanted. Thus ten thousand acres on the south were cast away, out of which, with additions, Dalton was formed. It was easy to seize the land desired, because the township of Stonington on the northern boundary had been granted and the conditions were unfulfilled, so that it was practically No-man's Land. When a little later Northumberland was laid out, it and all the towns north of it were pushed up the river and additions on the eastern sides were made to pacify the grantees. The first settlers of Lancaster took a large tract of very valuable land because they felt that they "needed" it, and then they got Governor Wentworth to sanction the seizure.

The town was granted, in 1763, to David Page and others. The village grew up on Israel's river, about a mile from the Connecticut. David Page was from Petersham, Mass., and he

brought with him and his family, in 1764, Emmons Stockwell, who had been one of Rogers' Rangers, Edward Bucknam and other young men from Lancaster, Lunenburg and Petersham, Mass. They planted twelve acres of corn. By August 26th it was "twelve feet high," or less, and that night it was completely frozen and spoiled. Fertility and northern climate do not harmonize always. A good deal of farming in New Hampshire has always been done at a venture. Frost and insects, drouth or too much rain, may spoil the plans of the wisest and most industrious, but this is the exception. Goods had to be pulled up over the rapids of the fifteen mile falls in canoes by ropes. This was the only highway to the settlement. Later their goods came through the White Mountain Notch from Portland, one hundred miles away, or from Portsmouth, but they raised in the town almost everything they really needed to eat and to wear. In 1775 there were eight families in town, including sixty-one persons. Emmons Stockwell and family were the only ones that remained, when the invasion by the Indians was feared. In 1776 Dennis Stanley was here coming from Kittery, Maine. In 1778 came Major Jonas Wilder and built the first two-story house. Other early settlers were Col. Stephen Wilson, Capt. John Weeks from Greenland, Joseph Brackett, William Moore, Phineas Hodgdon, Walter and Samuel Philbrook. These were here by 1786. In 1790 the town had a population of one hundred and sixty-one.

When Coos county was formed Lancaster became the shire town or county seat. Later this honor was shared with Colebrook. The town has prospered by reason of its agriculture, lumber mills and small manufactories. It has had its academy and public library for many years, two newspapers, banks, half a dozen churches, fine hotels and thousands of visitors.

Jefferson, southeast of Lancaster was granted to Col. John Goffe under the name of Dartmouth, in 1765. It was regranted to Mark H. Wentworth and others in 1772. Col. Joseph Whipple, Samuel Hart and others began the first settlement in 1773. The town was incorporated December 8, 1796. The surface is hilly and mountainous and summer tourists here are many.

The next town north of Lancaster is Northumberland,

stretching along the Connecticut ten miles. It was originally granted as Stonington, in 1761, to John Hogg and others. It was regranted by its present name, January 25, 1771, to David Warner and sixty-eight others from Portsmouth and Newburyport. A few of them made settlements in the town. Thomas Burnside came in 1767 and Daniel Spaulding with him. Burnside was from Londonderry and had married Susan, daughter of the Rev. James McGregor. He had been one of Rogers' Rangers and knew the country well. He became the leading citizen and was the first justice of the peace, having walked to Portsmouth to obtain his commission from Governor Wentworth. Capt. Jeremiah Eames was another grantee and early settler. The town was incorporated in November 1779. During the Revolution fort Wentworth, built in 1755 by Capt. Robert Rogers, was repaired and commanded by Jeremiah Eames, at whose house the first town meeting was held, in 1780, when he, Joseph Peverly and Thomas Burnside were chosen selectmen. There were but twenty-one voters in 1783, and then they voted to make "a good cart road" through the town. In 1789 it was voted "to raise seven pounds and four shillings, to be paid in wheat at cash price, to hire preaching for the ensuing year," and the minister's pay increased gradually for several years. The town voted to build a meeting house in 1796, and it was completed three years later. Yet no church was organized in this town till 1867, when the Methodists established a church and built a meeting house. Agriculture and the manufacture of wood products have been the industries. The incoming of the railroad developed some mills and built up a prosperous village.

Next north of Northumberland a town was chartered in 1762 called Woodbury, in remembrance of the place in Connecticut, where many of the grantees lived. Some settlers from that region made "pitches" a few years after the grant was made. Owing to disputes about boundaries the town was regranted by Gov. John Wentworth, May 26, 1773, under the name of Stratford, which it retains. Its size was double that of Woodbury, containing seventy-one shares and over forty-eight thousand acres. The first settlers, as early as 1772, were Joshua Lamkin, Archippus Blodgett, James Brown, James Curtis,

Isaac Johnson, Timothy DeForest, Benijah Blackman and John Smith. The first woman who came to town in 1773 was the wife of Joseph Barlow, and the proprietors voted her ten dollars for her brave example. Only seven families remained during the Revolution and six men of the town enlisted as soldiers. A fort was built for defense against the St. Francis Indians. It was commanded by Capt. John Holbrook, and a system of signals was arranged to warn adjacent towns on both sides of the river. This was then the farthest settlement north in New Hampshire. The town petitioned for a guard in 1780. It was incorporated November 16, 1779. Although there was occasional preaching and some of the inhabitants attended church in a neighboring town, no meeting house was built till 1808, when the Methodists established a church here. The Baptist church was organized in 1843.

Adjoining Stratford on the north is a town first known as Cockburne, granted in 1770 and named in honor of Sir James Cockburne, one of the grantees. It was incorporated December 16, 1797. A tract of 5,822 acres, granted in 1773 to Seth Wales and seventeen others and called Wales' Location, was annexed to Cockburne in 1804. The name of the town was changed, June 19, 1811, to Columbia, which name remains. Abel Larned from Windham, Conn., was the first settler, before the Revolution. He died after a few years, and his two sons were captured by Indians and taken to Quebec. They were rescued through the agency of Col. Webb, of General Washington's staff, who was an uncle of Mrs. Larned. This brave woman remained in the wilderness nine years without seeing another woman, dared the Indians and knocked down one of them with a fire-poker and dragged him from her cabin. Let her be classed with Hannah Dustin. Abel Hobart came in 1786 from Holland, Mass., walking all the way with an axe over his shoulder and only two and sixpence in his pocket. He cleared a large farm, built a house and in 1794 married Betsey Wallace. They lived together sixty-five years and reared five sons and five daughters. One of the sons was one of the founders of Beloit, Wisconsin. Other early settlers were William Wallace from Holland, Mass., Philip Jordan, born in Rehoboth, Mass., and his brother Benjamin. Philip and family had to subsist on

bear and moose that his rifle brought down, added to potatoes and berries. The first settlers managed to get along without much preaching. Occasionally an itinerant gave them a call and religious services were held in dwelling houses, school houses and barns. The first church edifice was erected by the Methodists in 1851. About the same time a Union church was built at East Columbia, where the Christian denomination had long held services. Dissensions crept in by reason of wrangles over baptism, annihilation and other non-essentials that certainly are not worth quarreling about. Columbia remains a farming community.

Colebrook is the half shire town of Coos County. It was first called Colebourne and was granted, December 1, 1770, to Sir George Colebrook and others. It was incorporated as Colebrook, June 11, 1795. The soil is said to be excellent, and every farm in town is a good one. Potatoes are raised in abundance, and formerly there were many small starch factories. The fertility of the soil and the comparative ease with which it can be cultivated have made this a wealthy town. The names of settlers that appear in 1795 were Andrew McAllan, Josiah King, Andrew and William McAllister, Moses Smith, Ebenezer Brainard, Joseph Goddard, Isaac Covil, Joseph Griswold and Nehemiah Spencer. Over a century ago a road was built through Dixville Notch, and then the farmers of Colebrook hauled their produce to Portland, Maine, for market, and brought back rum and molasses and a few other things. The population in 1810 was three hundred and twenty-five. About this time John Smith of Hartford, Conn., and Samuel Pratt of Marshfield, Vermont, formed a partnership and began to develop the town, clearing land, building stores, mills and factories, till they had over fifty thousand dollars invested. In five years the population had greatly increased. In 1816 there were fifty-six houses, and sixty-eight persons paid a poll tax. That year is recorded as remarkably cold, so that many sheep were frozen after being sheared. All New England felt that frost, and the crops were ruined, so that many emigrated to Ohio. The woolen mill built by Smith and Pratt in 1822 continued in operation many years after the failure of its builders. Colebrook Academy was chartered in 1832, and the State granted

ten thousand acres between Hall's and Indian streams in what is now Pittsburg to aid the institution. This land was sold to John Bailey for \$2,500 and thus the academy was built, costing \$1,200. In 1870 forty buildings in the main part of the village were destroyed by fire, yet new and better structures soon succeeded. The Congregational church in Colebrook was founded in 1802 under the preaching of John Willard, with ten members. The town and church sent out quite a colony to Beloit, Wisconsin, in 1838 and founded the Congregational church in that place. Besides the early settlers above named may be mentioned Edmund Chamberlain, Capt. Benjamin Buel, David Titus, Sylvanus Noyes, Caleb and Ebenezer Little, Charles Thompson, Joseph Loomis and Mark Aldrich.

Stewartstown adjoins Colebrook on the north. It was granted in 1770 to John Stewart and others of London. It was incorporated in 1795 by the name of Stuart, but because of legal doubts was reincorporated December 23, 1799, by its present name. No settlement was made till after the Revolution for fear of Indian depredations. The settlers before 1800 were Daniel Brainerd, Jr., Richard Smart, Abner Powers, Abel Bennet, Jr., John French, Luther French, Longley Willard, Barzillai Brainerd, John Walls, Daniel Hurlbert, Elisha Dyer, Theophilus Durell, Clement Miner, Abner Wood, Jr., David Lock, Nathaniel Durell, and Boswell Merrill. All these signed the petition for incorporation in 1795. Henry Sullingham and Jeremiah Eames, Jr. also settled here before 1800. The early inhabitants sometimes went to Colebrook to meeting on Sundays, and twenty-five members of the Congregational church in Colebrook were dismissed in 1846 to found a church in Stewartstown, with Rev. Josiah Morse as pastor. The early settlers raised grass seed and hauled it to Portland, Maine, in exchange for groceries and the things they could not do without. Shops and manufactories were set up on a small scale and with little capital, as the population increased. The railroad brought the modern luxuries, and now telephones and electric lights indicate the contrast between the beginning of the nineteenth century and recent years. With little schooling and much hard work on the farm stalwart men have been reared, many of whom have helped to colonize the far West. During

the War of 1812 a block house or fort was built here, and soldiers guarded the frontier for a year or more.

In January, 1789, the legislature of New Hampshire granted to Dartmouth College a tract of land eight miles square, containing about forty-two thousand acres, north of Stewartstown. In 1820 Benjamin Clark, from whom the town of Clarksville received its name, and one or two other students at Dartmouth purchased from the college ten thousand acres of this grant. The rest came into the possession of Gideon Tirrill and Josiah Young, who paid the taxes for several years and then sold the land to lumbermen. Among the early inhabitants were Gideon Tirrill, Joseph Wiswall, who was brother-in-law to Benjamin Clark and was Clark's agent for the sale of land, John Comstock, a soldier of the Revolution from Massachusetts, Benjamin Young, John Robie, Miles Hurlbert, Joseph Crawford, Alexander Smith and Josiah Bumford. The town was not incorporated till 1854.

Of Pittsburg, the largest and most northerly town in the State something will be said in a subsequent chapter. The northern part of New Hampshire is mountainous and but little of it would repay the farmer. Here lumbermen and workers in wood thrive. Here are attractions for hunters, fishermen and summer tourists. The history of one town is essentially the same as the history of every other, with a change of names of the inhabitants. Each can tell a story of courage and privations of the first settlers. Each has its narratives about Indians, bears and wolves. In each the first signs of civilization were a clearing and a log cabin here and there, followed by schools and a meeting house. In each all the arable land was soon cleared, including some that would not now pay for cultivation. Everywhere they grew stock and made some maple sugar. The style of dress did not change from season to season. The garments were made of skins and cloth woven in the hand loom at home. Every man helped his neighbor, and there was equality of privilege, with little distinction as to riches. Now there are beautiful farms all through northern New Hampshire, scattered at long intervals. There are pleasant and prosperous villages, especially where the iron horse has come. A hardy race of mountaineers have peopled this region for over a century. Some of their descendants abide still in the place of their birth, but more may be found in the wide West.

## Chapter XVI

# IMPORTANT EVENTS OF THIS PERIOD



## Chapter XVI

### IMPORTANT EVENTS OF THIS PERIOD.

Visit of President Washington—Celebration at Portsmouth—Brief Stop at Exeter—Washington's Diary—The Nation Governed by a Common Purpose rather than by a Party—Rise of the Federalists and Anti-Federalists—Josiah Bartlett First Governor of New Hampshire—Trouble with England and France about Commerce—Jay's Treaty—Governor Gilman and the Legislature Approve the Treaty—New Hampshire Joins Virginia in Claiming State Rights—Envoys Sent to France—"Millions for Defense, but not One Cent for Tribute"—Backshish Paid to the Dey of Algiers—First Steamboat in America Built by Samuel Morey of Orford—New Hampshire Bank at Portsmouth the Sixth Bank in America—New Hampshire Medical Society Incorporated—Census of 1790—Summary of a Century's History.

A GREAT event in the history of Portsmouth and Exeter was the visit of President George Washington. He was inaugurated April 30, 1789. Very soon thereafter he started with two private secretaries and servants for a tour through Connecticut, Massachusetts and New Hampshire. He arrived at Portsmouth on the 31st of October. The town had appointed a committee of twelve to arrange for his reception. A stage was erected east of the State House, on the Parade.

His Excellency had been escorted to the State line by a troop of Massachusetts. There he was met by President John Sullivan and Council, several members of the House of Representatives, Senators John Langdon and Payne Wingate, Hon. Nicholas Gilman, the Marshal and Attorney of the district, the consul of France, the Secretary of State, and several general officers attended by Colonel Cogswell with his regiment of Light Horse in complete uniform, a respectable number of officers in the civil department and private gentlemen. Thence he proceeded to Greenland by carriage, where there was a brief reception.

"The president at Greenland left his carriage, in the occupancy of Col. Tobias Lear, and mounting his favorite white horse he was there met by Col. Wentworth's troop, and on

Portsmouth Plains the president was saluted by Major General Cilley and other officers in attendance. From the west end of the State House, on both sides of Congress street, and into Middle street, the citizens were arranged in two lines in the alphabetical order of their occupations. And on the east side of the Parade ground the children of the schools, with diamond shaped cockades on their hats, from which a quill projected, were arranged near the State House. The different schools were designated by different colored cockades.

The President at his entrance received a federal salute from three companies of artillery under the command of Col. Hackett. The streets through which he passed were lined with citizens; the bells rang a joyful peal, and repeated shouts from grateful thousands hailed him welcome to the metropolis of New Hampshire.

On his arrival at the State House he was conducted through the west door to the senate chamber, by the president and council of this State and took his station in the balcony on the east side. Here the town address to the President was delivered by Judge Pickering. In it, after giving Washington a most cordial welcome to New Hampshire and congratulating him on his election, he expressed the deep gratitude of the public to him, "who with a magnanimity peculiar to himself under the smiles of heaven defended the rights and gave birth to the empire of America." The address further says, "Permit me to add, the grateful sense we entertain of our obligations to you, sir, as a town, for our security from that devastation which was the fate of so many other seaports in the Union, and would probably have been ours, had not the enemy, by your wise and prudent exertions, been driven from the capital of a neighboring State, and compelled to seek an asylum for a while within their own dominions." The address closes with a reference to the depression of our commercial interests by the war, from which we were rapidly recovering, and by an expression of gratitude to a kind providence for the restoration of the President's health." The President made the following reply:

Gentlemen: I am forcibly impressed with your friendly welcome to the metropolis of New Hampshire, and have a grateful heart for your kind and flattering congratulations on my election to the presidency of these United States.

I fear the fond partiality of my countrymen has too highly appreciated my past exertions and formed too sanguine anticipations of my future services. If the former have been successful, much of the success should be ascribed to those who have labored with me in the common cause, and the glory of the event should be given to the great Disposer of events. If an unremitting attention to the duties of my office and the zeal of an honest heart can promote the public good, my fellow citizens may be assured that these will not be wanting in my present station.

I can claim no particular merit, gentlemen, for the preservation of your town from the devastation of the enemy. I am happy, if by any event of the war your property has been preserved from that destruction which fell but too heavily on your neighbors; and I sincerely condole with you for the loss you have sustained in navigation and commerce, but I trust that industry and economy, those fruitful and never-failing sources of private and public opulence, will under our present system of government, restore you to your former flourishing state.

The interest which you take in my personal happiness and the kind felicitations which you express on the recovery of my health are peculiarly grateful to me; and I earnestly pray that the Great Ruler of the Universe may smile upon your honest exertions here and reward your well doings with future happiness.

On the stage opposite the balcony was an amateur choir, which sung three appropriate odes, composed by Jonathan M. Sewall, the man that framed New Hampshire's Bill of Rights. The flattery of these odes is rather too profuse. Washington is called "matchless," "nature's boast," "godlike hero," "the pride and wonder of mankind."

"Then the whole of the troops, under the command of Major General Cilley, passed him in the review, horse, foot, and artillery, and the line of officers, every officer saluting as he passed." Washington lodged at Colonel Brewster's hotel, whither he was conducted by the president and council of the State. In the evening the State House was beautifully illuminated, and rockets were let off from the balcony.

On Sunday Washington, accompanied by President Sullivan, Hon. John Langdon, and his two secretaries, attended divine service in the morning at Queen's chapel, and in the afternoon at the North Church the President was conducted to his pew, attended by the marshal of the district and two church wardens, with their staffs. On this occasion both houses of worship were crowded with spectators. At Queen's chapel several pieces of music, suitable to the occasion, were well

performed by the choir. The Rev. Messrs. Ogden and Buckminster, in well adapted discourses, paid just and beautiful eulogiums on the numerous virtues of this distinguished personage. Dr. Buckminster's sermon was immediately published in pamphlet form. It was preceded by an address to the people, congratulating them on the safe arrival of the President of the United States and filled with patriotism and compliments to the President, who sat in the pew of the Hon. William Whipple, signer of the Declaration of Independence.

On the following Monday the President went on an excursion down the harbor, rowed by seamen dressed in white frocks, and the coxswain was Capt. Hopley Yeaton. Another barge accompanied him, rowed by seamen clothed in blue jackets and carrying the amateur band. A short stop was made at Kittery and then the President called on Michael Wentworth, at the old Wentworth mansion at Little Harbor, whence he returned to Portsmouth by carriage.

On Tuesday President Washington was entertained by President Sullivan and Council. There were present most of the principal officers of government, as well as representatives of the bar and clergy, all to the number of about one hundred. The number of toasts drunk would indicate a high degree of festivity. They were: 1. The President of the United States. 2. Louis the XVIth the defender of freedom. 3. The 4th of July, 1776. 4. Our friends and allies throughout the world. 5. The Vice-President of the United States. 6. May the illustrious author of our liberties long remain the protector. 7. The band of heroes who fought and bled in the service of freedom. 8. May the posterity of those patriots who laid the foundation of our liberties long support its glorious fabric. 9. May the wisdom of our cabinet preserve the fruits of our contest in the field. 10. May the commerce of America travel with the sun, but only go down with the skies. 11. From the sources of American Independence may freedom be diffused through the earth.

After the first toast the President arose and very politely gave, The State of New Hampshire.

At the ball in the evening seventy ladies were presented to the President. It is not recorded that he danced the minuet

with them all. The next morning he left Portsmouth at half past seven.

He arrived at Exeter before ten o'clock, riding on horseback, accompanied by his secretaries, Colonel Tobias Lear and Major William Jackson, who rode in an open carriage, and by a single servant. He wore a drab surtout and a military hat. Captain Simon Wiggin, in command of an artillery company, gave him a salute of thirteen guns. He partook of a collation at the public house of Colonel Samuel Folsom, where he was waited on by Colonel Nicholas Gilman, who had been a staff officer under Washington at Yorktown. Soon he resumed his journey, escorted outside the village by a cavalcade of gentlemen, and taking his way to Haverhill, Massachusetts, by way of Kingston, was entertained at the inn which stood where the City Hall now is. Washington Square in that city is named in honor of the President's visit.<sup>1</sup>

It will be interesting for the reader to compare with the foregoing narrative the account of his journey into new Hampshire as found in Washington's private diary:

Saturday 31st Oct.

Left Newburyport a little after eight o'clock (first breakfasting with Mr. Dalton) and to avoid a wider ferry, more inconvenient boats and piece of heavy sand, we crossed the river at Salisbury, two miles above, and near that further about; and in three miles came to the line which dividies the State of Massachusetts from that of New Hampshire. Here I took leave of Mr. Dalton and many other private gentlemen,—also of Gen. Titcomb, who had met me on the line between Middlesex and Essex counties, corps of light horse, and many officers of militia; was received by the President of the State of New Hampshire, the Vice President, some of the Council, Messrs. Langdon and Wingate of the Senate, Col. Parker, Marshal of the State, and many other respectable characters; besides several troops of well clothed horse, in handsome uniforms, and many officers of the militia, also in handsome (white and red) uniforms, of the manufacture of the State. With this cavalcade we proceeded and arrived about three o'clock at Portsmouth, where we were received with every token of respect and appearance of cordiality under a discharge of artillery. The streets doors and windows were crowded there, as at all other places; and, alighting at the Town House, odes were sung and played in honor of the President. The same happened yesterday at my entrance into Newburyport, being stopped at my entrance to

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<sup>1</sup> The above account is taken from the Portsmouth Gazette of that time, Adams Annals of Portsmouth, Brewster's Rambles about Portsmouth, and Bell's History of Exeter.

hear it. From the Town House I went to Col. Brewster's tavern, the place provided for my residence, and asked the President, Vice President, the two Senators, Marshal and Major Gilman to dine with me which they did; after which I drank tea at Mr. Langdon's

November 1st.

Attended by the President of the State, (General Sullivan), Mr. Langdon and the Marshal, I went in the forenoon to the Episcopal church, under the incumbency of Mr. Ogden; and in the afternoon to one of the Presbyterian or Congregational churches, in which a Mr. Buckminster preached. Dined at home with the Marshal, and spent the afternoon in my own room writing letters.

Monday, 2d.

Having made previous preparations for it, about eight o'clock, attended by the President, Mr. Langdon and some other gentlemen, I went in a boat to visit the harbor of Portsmouth, which is well secured against all winds, and perfectly guarded against any approach by water. The anchorage is good, and the shipping may lay close to the docks, etc., when at the town. In my way to the mouth of the harbor, I stopped at a place called Kittery, in the Province of Maine, the river Piscataqua being the boundary between New Hampshire and it. From hence I went by the old Fort (formerly built while under the English government) on an island which is at the entrance of the harbor, and where the lighthouse stands. As we passed this fort we were saluted by thirteen guns. Having lines, we proceeded to the fishing banks, little without the harbor, and fished for cod,—but it not being of proper time of tide, we only caught two,—with which, about ten o'clock, we returned to town. Dined at Col. Langdon's and drank tea there with a large circle of ladies, and retired a little after seven o'clock. Before dinner I received an address from the town, presented by the Vice President; and returned an answer in the evening to one I had received from Marblehead, and another from the Presbyterian clergy of the State of Massachusetts and New Hampshire, delivered at Newburyport,—both of which I had been unable to answer before.

Tuesday, 3d.

Sat two hours in the forenoon for a Mr. ———, painter, of Boston, at the request of Mr. Brick of that place, who wrote Major Jackson that it was an earnest desire of many of the inhabitants of that town that he might be indulged. After this sitting I called upon President Sullivan and the mother of Mr. Lear; and, having walked through most parts of the town, returned by twelve o'clock, when I was visited by a clergyman of the name of Haven, who presented me with an ear and part of the stock of the dyeing corn, and several small pieces of cloth which had been dyed with it, equal to any colors I had ever seen, and of various colors. This corn was blood red, and the rind of the stock deeply tinged of the same color. About two o'clock I received an address from the Executive of the State of New Hampshire, and in half an hour ~~after~~ dined with them and a large company at their

Assembly room, which is one of the best I have seen anywhere in the United States.

At half after seven I went to the Assembly, where there were about seventy-five well dressed and many very handsome ladies, among whom (as was also the case at the Salem and Boston assemblies) were a greater proportion with much blacker hair than are usually seen in the southern States. About nine I returned to my quarters. Portsmouth, it is said, contains about five thousand inhabitants. There are some good houses, (among which Col. Langdon's may be esteemed the first,) but in general they are indifferent, and almost entirely of wood. On wondering at this, as the country is full of stone and good clay for bricks, I was told that on account of the fogs and damp they deemed them wholesomer, and for that reason preferred wood buildings. Lumber, fish, and potash, with some provisions, compose the principal articles of export. Ship building here and at Newburyport has been carried on to a considerable extent; during and for some time after the war there was an entire stagnation to it, but it is beginning now to revive again. The number of ships belonging to this port are estimated at ———.

Wednesday, 4th.

About half-past seven I left Portsmouth quietly and without any attendance, having earnestly entreated that all parade and ceremony might be avoided on my return. Before ten I reached Exeter, fourteen miles distant. This is considered as the second town in New Hampshire, and stands at the head of the tide-water of the Piscataqua river, but ships of three hundred and four hundred tons are built at it. Above (but in the same town) are considerable falls, which supply several grist mills, two oil mills, a slitting mill and snuff mill. It is a place of some consequence, but does not contain more than one thousand inhabitants. A jealousy subsists between this town (where the Legislature alternately sits) and Portsmouth, which, had I known it in time, would have made it necessary to have accepted an invitation to a public dinner; but my arrangements having been otherwise made, I could not.

This is as much as Washington had time and inclination to write down about his impressions of Portsmouth and Exeter.

Until the end of the revolutionary war it may be said that there were no political parties in the United States. The only distinctions were between patriots and tories. The last were sometimes called by the harsher name of traitors. The formation of an independent nation necessarily developed differences of political convictions. Taught by the history of European nations, some of the more wealthy and powerful leaders leaned toward a monarchical, or at least an aristocratic form of government. To this end they sought to centralize the powers of the

colonies and lodge them with the national government. The federation of independent States served well for common defense in time of war. The conflicting claims of those States in time of peace led to lack of harmony. The two main questions were, how far can the whole people be trusted and allowed to govern themselves, and how much of independence can be allowed to separate States. The adoption of the national Constitution did not settle these questions and put an end to discussion. Perhaps they never can be settled immovably. Whenever the acts of the national government seem to conflict with the rights and privileges of a State or group of States, then the old discussions are renewed. Whenever the laws of a State conflict with popular convictions concerning personal liberty, then the individual comes again to the front with shouts for freedom. The growing feeling among well informed men ever is that every person, every town, every State, should have the largest measure of liberty consistent with the rights and privileges of others. The powers of the individual and of the group are surrendered only to obtain the greater powers that come from union with the strong, for everywhere and in all time men want power and opportunity to use it. Using it justly and for the good of all is liberty; abusing it in an unlawful and selfish manner is license and tyranny.

The advocates of the national Constitution were called Federalists in 1788, because its effect would be, it was thought, to bind together more firmly the States into a confederation, or Union. Subsequent controversies have shown that some intended a federation of sovereign States, and others a consolidation of mutually dependent States into an indissoluble Union. The logic of events has put the latter interpretation upon the national Constitution as adopted in 1788. The Federalist party then formed continued to hold power till the end of the eighteenth century. The leading members of that party were Washington, Hamilton, Adams, Jay, and many less distinguished patriots of the Revolution. The leaders in New Hampshire were the Gilmans and Jeremiah Smith of Exeter, William Plumer and Charles Atherton.

Opposed to these were the Anti-Federalists, a party that arose about 1792, under the leadership of Thomas Jefferson,

who had learned his principles of government, while he was ambassador in republican France. This party was opposed to all monarchical tendencies, and it contended for the largest possible measure of power to be reserved to the States. It founded the doctrine of State Rights, not then for the purpose of dissolving the Union, but to resist the encroachments of the aristocracy upon the rights of the people. Some would have made a king of George Washington, while he was satisfied with being *primus inter pares*. The name of the Anti-Federalist party was changed in 1793 to Republican party, soon lengthened into the Democratic-Republican party, and finally known as the Democratic party. This party advocated a strict interpretation of the Constitution in opposition to extension of federal powers. The leaders were Jefferson, Madison and Monroe. In New Hampshire John Langdon, though a friend and supporter of Washington, favored this party, and so did General Stark. In their own minds this party is said to have stood for large powers of the State, religious liberty, freedom of speech, trial by jury, economy by the government, opposition to standing armies, to paper currency and to war, and to entangling alliances with foreign nations. The party cry was the People versus the Aristocracy. Doubtless there were put into the party platform motives and desires that were shared as earnestly by their political opponents. Political parties frame phrases to catch the votes of the unreflecting, and different persons, who really want the same things, vote opposing tickets. So long as the desire for leadership expresses itself only in the press, on the rostrum and in votes, opinion gets ventilated, the people are made to think a little and education advances. When there is resort of the political factions to arms, we have a Mexican or a Haytian "Revolution."

In New Hampshire the Federalists carried the election in 1793 reelecting Josiah Bartlett for Governor. The extent of his popularity is shown in this, that out of a total number of ballots of 9854, he had 7385 votes, while John Langdon had 1306, John Taylor Gilman 708 and Timothy Walker 382. Governor Bartlett had been long in public office, and in consequence of advancing years and declining strength he refused to be longer the standard bearer of his party, the Federalists. He

was succeeded as governor the following year by John Taylor Gilman. These men are sufficiently sketched elsewhere in this work. Timothy Walker was the opposing candidate of the Republicans, but Governor Gilman's majority was large, and he continued to hold the chief office of the State for a long time. An event occurred which shook the power of the Federalists and created no little political upheaval in New Hampshire.

There was war between Great Britain and France, and both powers were encroaching upon the rights of American commerce. Some were in favor of an alliance with Great Britain, notwithstanding the facts that she was impressing American seamen, holding military posts along the Great Lakes that belonged to the United States, and capturing American vessels; others thought that we ought to lend sympathy and aid to France, our helper in time of trouble. Washington issued a proclamation of strict neutrality. Then, as now, there was public debate as to what course of conduct neutrality required. The people of Portsmouth, in open town meeting, declared, that "we rely on the support and energy of the government of the United States, that our navigation shall be freed from the present depredations and insults committed by the powers at war; and that just compensation shall be made to those who have suffered by such unwarrantable conduct." Similar language is used today against both Great Britain and Germany. It would seem that in all ages contending nations have little regard for the rights of neutrals, unless those neutrals are strong enough to defend themselves. Each contending power claims all that international law has ever allowed, widens its own interpretation of such law to suit changed conditions, and grasps all it can take with reason or without. Rules made for warfare in time of peace amount to but very little when the desperate struggle for supremacy comes on.

The Hon. John Jay was sent to the court of St. James as minister plenipotentiary, and he negotiated the best treaty with England that the times would permit. The western military posts were given up. Claims were allowed which led to the payment of \$11,000,000 by England. But nothing was done about the impressing of American seamen into the English navy and the capture of American merchant vessels. Vessels of

seventy tons burden and less were allowed freely to trade with the West Indies. The treaty was thought by many to be injurious and disgraceful to the United States. John Langdon, as senator, voted against it. Then New Hampshire and Virginia were in accord. This was in 1795. The people of Portsmouth petitioned President Washington, that the treaty might not be ratified, because of its unfairness. "The other Senator in Congress from New Hampshire had voted for its ratification. A counter address to the President was drawn up and signed by a large number of individuals. But to prevent its being sent on, two or three hundred of the enraged populace assembled and armed with clubs paraded the streets, with drums beating, and carrying the effigies of the commissioners who made the treaty and the Senator who voted for its ratification; insulting many of the signers of the address, broke their windows and fences, injured their trees, and with threats of personal injury and violence demanded the address of the person who had it in possession. After keeping the town in terror and confusion several hours they burnt the effigies and then dispersed. Ten of the principal persons concerned in this plot were indicted at the next Superior Court."<sup>2</sup>

The treaty, however, was ratified, and sober judgment has concluded that it was the most favorable that could have been made at that time. The threatened war with England was postponed for seventeen years, till this nation was in a better condition to enforce the rights of its seamen. Governor Gilman in his message of 1795 approved the treaty and his approval was endorsed by the legislature in the strongest terms. The only influence that riots usually have on legislation is to prejudice the legislators against the rioters. Those who know that they are in the right are content with an appeal to reason, unless armed force opposes itself to sane argument.

Another instance shows how New Hampshire was in harmony with Virginia in the maintenance of State Rights. A privateer called the McClary was fitted out by Portsmouth merchants, under the sanction of the legislature of the State. The McClary captured an American merchant ship, called the Susanna, bound to an enemy's port and laden with supplies.

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<sup>2</sup> Adams' Annals of Portsmouth, p. 311.

The vessel and cargo were regularly condemned in the courts of the State and adjudged to the captors as their lawful prize. The United States court of appeal reversed the judgment of the State court. The District Court of the United States confirmed the decision of the court of appeal, and ordered the value of the *Susanna* and her cargo, amounting to over \$32,000, to be restored to the owners of the *Susanna*. A special session of the New Hampshire legislature was called to consider the matter, as a violation of the dignity, sovereignty and independence of the State. A remonstrance sets forth the feeling of the State in the following vigorous language:

"This State had a right to oppose the British usurpations in the way it thought best; could make laws as it chose with respect to every transaction, where it had not explicitly granted the power to congress; that the formation of courts for carrying those laws into execution belonged to the several states; that congress might advise and recommend, but the states only could enact and carry into execution; and that the attempts repeatedly made, to render the laws of this state null and void is a flagrant insult to the principles of the revolution.

Can the rage for annihilating all the power of the states and reducing this extensive and flourishing country to one domination make the administrators blind to the danger of violating all the principles of our former governments, to the hazard of convulsions in endeavoring to eradicate every trace of state power, except in the resentment of the people? Can the constitutional power of congress, in future, be no other way established, than by the belief that the former congress always possessed the same? Can the remembrance of the manner of our opposition to tyranny and the gradual adoption of federal ideas be so painful as to exclude, (unless forced into view,) the knowledge that congress in its origin was merely an advisory body; that it entirely depended upon the several legislatures to enforce any measures it might recommend."<sup>3</sup>

This shows that the states of the North was just as clamorous for their rights as were those of the South in later times, when either thought that the national government was intruding upon powers reserved to the individual States, and each

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<sup>3</sup> Hist. of N. H., by George Barstow, pp. 305-6.

State was inclined to think that such powers were reserved as suited their special interests from time to time. States are as selfish as the individuals that compose their governors and legislators, proving thereby that such corporations have souls, —and depraved ones at that. Indeed the depravity of corporations is more marked than that of the individuals that compose them. The Constitution, with *ex parte* interpretation, is a fetich to be worshiped on occasion, when the divine law, that is higher than the Constitution, is forgotten, or ignored.

Envoys sent to France to adjust all difficulties with that nation had not even so good success as John Jay had in treating with England. The Directory demanded a loan of \$6,000,000 to the French government and the payment of fifty thousand dollars to each of the five directors as preliminary steps to a treaty. These payments were regarded as private *doceurs*, now known as graft. These terms were indignantly refused, and the voice of all parties at home was, "Millions for defense, but not one cent for tribute." The French Directory changed their minds and sent for ministers to make a treaty. Before their arrival Napoleon I came into power as First Consul, with whom a satisfactory treaty was made. An address was sent to President John Adams by the legislature of New Hampshire, which had the unanimous vote of the Senate and only four opposing votes of the House, approving his foreign policy.

In 1795 peace was made with the Algerines that was not so honorable to the United States. A nest of pirates had captured some American citizens and held them for ransom. There were paid one million dollars and an annual tribute of sixty thousand dollars for the redemption of captives. To the Dey of Algiers was presented a frigate built at Portsmouth. All this disgrace was forced upon us by an insignificant power and a band of pirates because of the unpreparedness of the United States navy.

It is claimed, with good evidence, that the first steamboat in America was built by Samuel Morey of Orford, New Hampshire, and sailed on the Connecticut river as early as 1792 or 1793, fourteen years before Robert Fulton sailed up the Hudson to Albany, in the *Clermont*. John Fitch had made the experiment of propelling a boat by means of a system of

paddles, twelve in number, that moved like a human arm. This was a failure. In 1787 James Rumsey invented a boat propelled by steam, pumping in water to be forced out at the stern, the resistance of the water forcing the boat along. A company was formed to push forward the enterprise, but it moved no better than the boat. John C. Stevens and Oliver Evans had made some experiments in propelling boats by steam. Samuel Morey began his experiments as early or earlier and succeeded so well that Robert Fulton went to Orford and saw Morey's invention and Morey went to New York and showed models to Fulton and Chancellor Livingston, who financed Fulton's enterprise. Morey claimed that Fulton practically stole his invention. Perhaps both are entitled to some credit, though Morey lacked financial backing to make his invention a business success. Silliman's *Journal of Science and Art* had about that time several scientific articles written by Morey, and a description of "The Revolving Steam Engine recently invented by Samuel Morey, and patented by him on the 14th of July, 1815, with four Engravings." His steamboat was forced along by paddle wheels and on the first trip, a Sunday, 1792, he sailed from Orford to Fairlee, Vermont.

Samuel Morey was son of Colonel Israel Morey, who moved from Connecticut to Orford and took an active part in the Revolution, being promoted to the office of General. He was a man of distinction in civil as well as military affairs. His son is described as a most excellent man in character and of great inventive ability. During the last seven years of his life he dwelt at Fairlee, Vermont, and his steamboat is said to be resting on the bottom of Fairlee Pond. Some unavailing efforts have been made to raise it.<sup>4</sup>

It is difficult to conceive how three millions of people in this country did business many years without a bank. The first one, the Bank of North America at Philadelphia, was chartered December 31, 1781. This was followed by the Massachusetts Bank at Boston, February 7, 1784. The third was the Maryland Bank at Baltimore, November, 1790. The fourth was the Bank of the United States at Philadelphia,

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<sup>4</sup> See pamphlet, *Who Invented the American Steamboat?* by William A. Crowley, 1874.

February 25, 1791. The fifth was the Bank of New York, March 21, 1791. The sixth was the New Hampshire Bank at Portsmouth, January 3, 1792. The incorporators of the last were Dr. Ammi R. Cutter, Eliphalet Ladd, Jacob Sheafe, William Gardner, and the Hon. John Samuel Sherburne, all of Portsmouth.

The capital stock paid in was \$80,000, of which the State took \$10,400. The stockholders gave to the State a bond to refund the same to the State at any time within three years, if the legislature so ordered. The State held this stock till 1840, when a portion of it was given for the crection of the first building in the New Hampshire Asylum for the Insane. The bank was empowered to hold real estate to the value of \$50,000 and no more, and monies, goods, chattels and effects to the amount of \$200,000, and to dispose of such property, provided that none of the directors and company should directly or indirectly use and employ any of the monies of the bank in trade or commerce. The charter was to extend fifty years. The stockholders were privileged to vote in the following proportion:—for one share and not more than two shares, one vote; for every two shares above two and not more than ten, one vote; for every four shares above ten and not exceeding thirty, one vote; for every six shares above thirty and not exceeding sixty, one vote. This provision curbed somewhat the power of the large stockholders; one might hold a majority of stock without having a majority of votes. Doubtless, however, a few heavy stockholders managed the bank. Governor John Taylor Gilman was its president, and so was Hon. Oliver Peabody, both residents of Exeter. It continued operations till the expiration of its charter, in 1842.

The first bank was not long without a rival. It was under control of Federalists, who confined its loans to friends of that party. A company was formed in Portsmouth, which issued bills and did the ordinary business of a bank without being incorporated. This company was headed by Governor John Langdon, Senator John Samuel Sherburne and a Mr. Goddard, who were Anti-Federalists, or Republicans, and the company loaned to their political friends. They applied for an act of incorporation, which was at first denied, and a law

was passed, making all such unincorporated banking associations unlawful. The contest of the political parties continued over the question of the incorporation of the Union Bank of Portsmouth for more than two years. The need of the bank for the transaction of business was hardly considered. Some, taught by lessons of the past, were skeptical about the issue of paper money in any form. The old State notes had depreciated long before till they had become worthless. Mr. Plumer, afterwards governor, favored keeping the banking business in the hands of the national government. The system of State banks ultimately prevailed. The New Hampshire Union Bank, was incorporated, after long opposition in 1802, being the second bank in the State. Six more were added within the first decade of the nineteenth century. The subject will be resumed in the treatment of that period.

The New Hampshire Medical Society was incorporated in February, 1791, in response to a petition signed by nineteen physicians from thirteen towns. At that time there were but three medical schools in America, Harvard, founded in 1783, the University of Pennsylvania in 1764, and King's College, New York, 1768. All these at the end of the century had not graduated more than two hundred and fifty students. Most of the practitioners in New Hampshire had received their instruction from some older physician, from whom they had learned both theory and practice. There were no medical books or journals published in America, and books printed in Europe were expensive and obtained with difficulty. A medical library was much needed, and by the donations and legacies of its members the Medical Society soon made a good beginning. The corporate members of the Society were Josiah Bartlett, at that time President, or Governor, of the State and elected the first President of the Society, serving till other public duties obliged him to resign; Joshua Brackett, graduate of Harvard, student of theology and for some time a preacher, judge of the maritime court during the Revolution, eminent physician of Portsmouth, donor of \$1500 toward a chair of botany and natural history at Harvard and of one hundred and forty volumes to the Society; Hall Jackson, whose services as surgeon in the Revolution have been mentioned, patriot

and scientist, author of a pamphlet on Putrid Sore Throat; Nathaniel Peabody of Atkinson, more noted in civil and military circles, and cordially hated for inability and perhaps unwillingness to pay his debts; William Cogswell of Atkinson, surgeon mate in the military hospital at West Point and also chief in charge and skillful practitioner at Atkinson; Benjamin Page, heroic surgeon of the Revolution at Bunker Hill, Ticonderoga and Bennington, where he had the only surgical instruments on the field, later physician at Chester, Exeter and in Hallowell, Maine; William Page of Charlestown, colonel in the militia and senator in the State Legislature; Samuel Tenney, graduate of Harvard, surgeon throughout the revolutionary war, judge of probate for Rockingham county, three years member of United States Congress, and frequent contributor to the scientific and political magazines of his time; Isaac Thom of Windham, member of the Committee of Safety in the Revolution and eminent physician in Windham and Londonderry; Ezra Green of Dover, graduate of Harvard in 1765, surgeon in the Revolution serving at Bunker Hill and on the ship *Ranger*, first postmaster of Dover; Moses Carr of Somersworth, where he was well known for his professional work, judge of the court of common pleas from 1776 to 1784 and dying in 1800 at age of eighty-four; Ammi R. Cutter, born in North Yarmouth, Maine, graduate of Harvard, surgeon to the famous Rogers' Rangers, and at the siege of Louisburg, serving a year as Physician-general at Fishkill in the Revolution, recipient of an honorary degree of M.D. from Harvard, and a man of intellectual and moral power; John Rogers, graduate of Harvard in 1776, physician and justice of the peace at Plymouth; George Sparhawk, a Harvard alumnus, eminent physician of Walpole and State Councilor; Ebenezer Rockwood, graduate of Harvard and surgeon in the continental army, called by voters to settle in Wilton; and Kendall Osgood, surgeon on a privateer in the Revolution and physician at Atkinson and Peterborough. Besides there were James Brackett, William Parker and John Jackson. These were no ordinary men. Seven of them were educated at Harvard. They were, at the time of the organization of the Society, the most eminent physicians and surgeons of the

State. Thirteen new members were admitted at the first meeting of the Society. It soon became their practice to license young men whom they judged properly qualified for their profession, and the certificate of the Society was evidence of learning and skill. Three of Governor Bartlett's sons became members of this organization. In 1827 the Society took a very advanced position on the temperance question, condemning the use of alcoholic liquors by the healthy as never necessary and often hurtful, and scarcely allowing it to the sick, except in extreme cases. From time to time papers of great importance have been read before the Society on medical science and practice in this and foreign countries. In 1836 President Mussey gave an address, discountenancing the use of tobacco from the medical point of view. The same year a resolution was sent to the State Legislature, asking for the establishment of an asylum for the insane. The Society established the New Hampshire Journal of Medicine in 1851. Down to the year 1890 seven hundred and twenty-four persons had been admitted to the Society, and it had rendered important service in keeping ignorant quacks out of medical practice and securing well trained physicians. The standard has been rising continually and there seems to be no limit to advancement. Perfection is never reached.<sup>5</sup>

According to the census of 1790 the population of New Hampshire was a little above one hundred and forty-two thousand. In the year 1800 it had increased to 183,868. The growth was due to the fact that families were then generally large, ten or more children being not infrequent. There was in this decade little addition by immigration from without, most of the valuable land having previously been taken by settlers. Some extension of the frontier was made in the extreme northern part of the State.

The following citation is a well condensed summary of the history of New Hampshire down to the close of the eighteenth century. "The century closed when partisan warfare was at its height, and the press on both sides teemed with bitter sarcasm and malignant abuse. This important date in our

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<sup>5</sup> See Address by Dr. Lyman B. Gow, in Transactions of the N. H. Medical Society at its Centennial Anniversary, pp. 97-128.

history suggests some reflections upon the condition of New Hampshire as it then was. It would be difficult to find a colony or state within the period of authentic history that suffered more or achieved more in the same number of years, than New Hampshire prior to the peace with Great Britain in 1783. Her entire record for one hundred and sixty years is stained with sweat and blood. Her citizens labored and suffered during all that period with unparalleled patience. From four inconsiderable plantations in 1641 she had grown in 1800 to be a populous state of one hundred and eighty-three thousand inhabitants distributed over nearly two hundred flourishing towns. But from the hour when the forests of Dover and Portsmouth first rang with the blows of the woodman's axe there was no rest from toil, scarcely any from war, to all its citizens. For nearly all that long and dreary march of armies and pressure of labor the title to the very soil they had won from the wilderness was in dispute. The Indians were constantly upon their track, and no hiding-place was so secret or remote as to render its occupant safe from the tomahawk and scalping-knife. Foreign wars consumed their property and exhausted their men. The government under which they lived and to which they owed allegiance was changed almost as often as the wages of Jacob by his crafty father-in-law. The king ruled them only for his own advantage. Even Massachusetts, with whom for many years she enjoyed a peaceful alliance, finally became ambitious of enlarging her possessions and ungenerously obtained and appropriated nearly one half of New Hampshire. The people of the state found no security at home or abroad, but in their own brave hearts and strong arms."<sup>6</sup>

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<sup>6</sup> Hist. of N. H., by Edwin D. Sanborn, p. 233.



## Appendix A



## Appendix A

For a long time there has been considerable controversy among local historians about the birthplace of General John Sullivan, and there has been nothing definite published concerning the early life of his father in New England. The traditions are conflicting, and insufficient effort has been made to search public records for facts. Some of the traditions are manifestly inventions of a romancing imagination. One account has it that he landed at Belfast, Maine, and worked in a saw-mill; another, that he landed at York in 1723, driven there by stress of weather, although the desired harbor was Newburyport. His subsequent wife, Margery Browne, is said in one account to have come over later than he; another account says that she came over, a girl nine years of age, on the same ship. One writer says that he paid her passage money at Portsmouth, in shingles which he made and carried down the river by boat. We are told that he worked, immediately after his arrival, on the McIntire farm, in the Scotland parish of York, and that he sought the aid of the Rev. Dr. Moody in a letter written in five, or seven languages. Some have claimed that he taught school in Dover, New Hampshire, in 1723, immediately after the earliest date set for his arrival. The last statement is based upon something found in the town records of Dover, dated May 1723:

Ordered that 2 Schoolmasters be procured for the Towne of Dover for the year Ensuing and that ther Sallery Exceed not £30 Payment a Peace and to attend the Directions of the Selectman for the Servis of the Towne in Equill Proportion.

At the same time Mr. Sullefund Exceps to Sarve the Towne abovesaid as Scoole master three months Sertin and begin his Servis ye 24th day of May, 1723, and also ye Said Sullefund Promised the selectmen if he left them Sooner he would give them a month notis to Provide themselves with a nother, and the Select men also was to give him a month notis if they Disliked him.

The conclusion was too easily reached that the schoolmaster here named was John Sullivan. One may find, however, in

the published Province Papers of New Hampshire, IV, 83, the following: "Humphrey Sullivan Preferred a Petition to the board Praying for £50 to be paid him by the Town of Dover for his service there as schoolmaster," and the House of Representatives ordered that the selectmen of Dover be served with a copy of the petition. This was on the 19th of February 1722/3. It is evident that Humphrey, not John, Sullivan was the schoolmaster at Dover. He taught in Hampton from 1714 to 1718<sup>1</sup> and witnessed the will of William Fifield of that place, 18 Feb. 1714/15.<sup>2</sup> He witnessed a deed from Dr. Jonathan Crosby of Oyster River to the Rev. Hugh Adams of the same place, 12 April 1720<sup>3</sup> and another deed at Oyster River, 31 Aug. 1725.<sup>4</sup> Court records show that Humphrey Sullivan taught school at Oyster River from May 20, 1723, to April 19, 1726, in seven different houses; that for the first year he was paid according to agreement; and that he continued to teach without being duly authorized and sued for wages. A little later he brought action in court against the constable, Joseph Jenkins, for assault in the street at Portsmouth, in which the schoolmaster was kicked and insulted. A recital of the incident is spread out in the beautiful penmanship of Humphrey Sullivan, to which he signs his name in large and copy-worthy letters.—N. H. Court Files, Folder No. 20101.

It is said that in the old age of schoolmaster John Sullivan, when he and his wife were calling at a neighbor's, they got to talking about his younger days, and he told the following story, which was recorded by the person who heard it:

I sailed from Limerick, Ireland, for New England in 1723; owing to stress of weather the vessel was obliged to land at York, Maine. On the voyage my attention was called to a pretty girl of nine or ten years, Margery Browne, who afterwards became my wife. As my mother had absolutely refused to furnish me the means for paying transportation, and I had no means otherwise, I was obliged to enter into an agreement with the captain to earn the money for my passage.

After I landed at York, for a while I lived on the McIntire farm in Scotland parish. Unaccustomed to farm labor, and growing weary of manual occupation, I applied to Rev. Dr. Moody, pastor of the parish, for assist-

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<sup>1</sup> See Dow's History of Hampton, I., 476.

<sup>2</sup> N. H. Probate Records, I., 754.

<sup>3</sup> N. H. Prov. Deeds, XI., 402.

<sup>4</sup> N. H. Prov. Deeds, XLII., 387.

ance. I made my application in a letter written in seven languages, so that he might see I was a scholar. He became interested in my behalf, and being conversant with my ability to teach he loaned me the money with which to pay the captain the amount I owed for my passage. Thus set free from the McIntires, I was assisted to open a school and earn money to repay Dr. Moody.

This story, told by Mr. John Scales of Dover, is published in the Proceedings of the New Hampshire Historical Society, IV., 194. Its source is not declared. We know not who wrote down the account, nor when it was written. Some unknown neighbor probably told this story many years after the alleged event. It is neighborly gossip, or unsupported tradition, and there is direct evidence to the contrary, as we shall see.

It seems incredible that a girl nine years of age came from Ireland to Maine unattended and with no money to pay her passage. What was she doing while John Sullivan was making shingles to redeem her? Where was she from 1723 to 1735, the asserted time of her marriage? How happens it that John Sullivan, said to have been of a well-to-do family in Ireland, had to depend upon an unwilling mother for money to pay his passage? He was thirty-two years old in 1723 and must have had some money of his own. What were the seven languages that he knew well enough to compose a letter in them? That is what few eminent scholars can do. He knew English well enough to misspell many words. He seems to have known Latin better, and we may suppose he was acquainted with Irish. Some have supposed that he lived in France as a boy and learned French like a native, but his obituary says that he learned French in his old age. Those seven languages belong to the story of the Three Black Crows. All traditions concerning John and Margery Sullivan are as unreliable as that she, on the passage to America, when asked what she was going there for, replied that she was "going to raise governors for them." That story must have been invented after her sons, John and James, had become governors. No record of the marriage of John Sullivan and Margery Browne has been found, and there is no tradition where they were married, nor by whom. Testimony is conflicting in the Sullivan family. One granddaughter reports the tradition that "John Sullivan was born in

Dublin, Ireland, in June, 1691. Margery Browne was born in Cork, Ireland, 1705. They were married immediately previous to their leaving for, or during their passage to this country."<sup>5</sup>

So we are told that he was born in Limerick, Dublin and Ardea, and she came over with him as a girl of nine years, or as his wife at age of eighteen. We are reminded of the remark of Mark Twain, that, when he wrote history, he did not like to know too much about the facts, for it hampered his imagination.

Now, what are the ascertained facts in the life of schoolmaster John Sullivan, as found in trustworthy records? With some research the following have been gathered.

A communication was published in the *Oracle of the Day*, a newspaper of Portsmouth, New Hampshire, in the issue of June 30, 1795. The communication was dated at Berwick June 27th, 1795, and is unsigned. It says:

Died—at Berwick on Saturday the Twentieth of June instant Mr. John Sullivan of this Town, Schoolmaster, aged One Hundred and Five years and three days.

This respected and extraordinary character was born in the village of Ardea in the County of Kerry and Kingdon of Ireland. He arrived in this country when he was forty-one years of age, from which time till he was ninety he was most part of his time employed in teaching public and private schools; and perhaps but few persons ever diffused so much useful knowledge, etc., etc.

The rest of the letter is irrelevant to our purpose. It contains the statement that he learned French in his old age. The entire obituary may be seen in Amory's *Family of John Sullivan*, pp. 51-53, although Amory was uncertain about the date of the communication. The above dates are taken from the files of the newspaper, found in the library of the New Hampshire Historical Society.

He was born, then, June 17, 1690 and died June 20, 1795. He came to America when he was forty-one years old, that is, in 1731, not in 1723. At that time Margery Browne, if she was born in 1714 as most authorities agree, was in her eighteenth year; and if she was born in 1705, as one line of family tradition has it, she was twenty-six years of age. We think that the date, 1714, is more reliable, but in either case she was old enough

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<sup>5</sup> See the *Family of John Sullivan*, by Thomas C. Amory, p. 15.

to be the wife of John Sullivan when they came over. If they were married in 1735, he was not waiting for her to grow up, and it is a wonder that she waited for him four years after their arrival. Girls of her age were in demand at that time.

We now come to a series of historical facts that go to prove that John Sullivan, the schoolmaster, lived at Somersworth, now Rollinsford Junction, from 1736 to about 1747. The old Somersworth church stood in or close by the cemetery that is seen very near to the railroad station. John Sullivan was janitor of that church in 1737. Our facts are here arranged chronologically.

Dec. 6, 1736. John Sullivan witnessed a deed from Thomas Tebbetts of Somersworth, New Hampshire, to his son, Thomas Tebbetts. Joshua Stacpole was the other witness. The property transferred was part of a saw in Quamphegan saw-mill, at what is now South Berwick, Maine, and Rollinsford, N. H.<sup>6</sup>

July 10, 1737. Deed of Ebenezer Downs of Somersworth to Thomas Downs of land in Rochester, witnessed by John Hall, Jr., Joseph Varney and John Sullivan.<sup>7</sup>

July 12, 1737, John Sullivan witnessed a deed from Daniel Smith of Berwick to Gersham Downs and Thomas Downs, Jr. of Dover, of land in a new township adjoining Berwick. The other witness was Daniel Moulton.—York Deeds, XVIII., 359.

1737. The parish of Somersworth voted "sixty pounds for a schoolmaster. Voted that Mr. John Sullivan be the schoolmaster for the ensuing year. Voted John Sullivan to sweep and take care of ye meeting house & to have thirty shillings."<sup>8</sup>

Jan. 10, 1737/8. Deed of Thomas Tebbetts of Somersworth to son, Thomas Tebbetts, of land bordering on land of Philip Stacpole, witnessed by John Sullivan.<sup>9</sup>

July 20, 1738, Thomas Tebbetts and wife Elizabeth convey to John Vickers one acre in the parish of Summersworth on the road that "leads from Stacpole Brook to Summersworth Meeting House & next adjoining to Ensign John Tebbetts land."

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<sup>6</sup> See N. H. Prov. Deeds, XXV., 484.

<sup>7</sup> Id., XXX., 274.

<sup>8</sup> Citation from the parish records of Somersworth, in Knapp's Sketch of Somersworth, p. 28. The writer of this has examined the original record.

<sup>9</sup> N. H. Prov. Deeds, XXV., 485.

Witnessed by Jno. Sullivan and Benj. Chatburn.—N. H. Prov. Deeds, XXIV., 627.

Nov. 14, 1738. Deed of John Vickers of Somersworth, shop keeper, to Alley McColley of Berwick, one acre of land bought of Thomas Tebbets of Somersworth, witnessed by Nell [Neal] Vicker and John Sullivan.<sup>10</sup>

Feb. 1, 1738/9. Deed of Thomas Hobbs of Somersworth to Thomas Wallingford of Somersworth, Witnessed by Benjamin Plumer, James Jeffry, John Sullivan and Thomas Nock..<sup>11</sup>

May 10, 1739. Thomas Tebbets and wife Elizabeth convey to John Vicker four acres in the parish of Summersworth "lying near ye road that leads from Quamphagen to the Meeting House." Witnessed by John Sullivan and Benj. Chadbourn.—N. H. Prov. Deeds, XXIV., 628.

Aug. 10, 1739. John Tebbets and wife Mary convey to John Vicker, of the parish of Summersworth one acre in said parish, "upon part of wch sd acre of land ye sd Jno Vickers House now stands and ye sd acre of land is to be eighteen poles in length from ye high way yt leads from Stacpoles Brook to ye meeting house in ye parish aforesd and eight poles fifteen feet in breadth." It joined to the acre purchased of Thomas Tebbets. Witnessed by John Sullivan and Benj. Chadbourn.—N. H. Prov. Deeds, XXIV., 629.

Feb. 17, 1740. Birth of John Sullivan Jr., General and Governor.

Sept. 6, 1740. Deed of Samuel Stacpole of Somersworth to Philip Stacpole, "ye uper pasture," witnessed by Joseph Jenkins and John Sullivan. The land deeded was in what is now Rolinsford, on the old Stacpole farm, recently owned by heirs of Samuel Hale. It is half a mile south of the bridge at South Berwick.<sup>12</sup>

May 19, 1743. John Sullivan and 52 others of "the Freeholders and inhabitants of the parish of Somersworth" signed a petition, asking for town privileges.<sup>13</sup>

July 11, 1743. Margery Sullivan wrote a letter, dated at "Summersworth New Hampshire," to her absent husband and

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<sup>10</sup> Id., XXIII., 468.

<sup>11</sup> Id., XXVIII., 209.

<sup>12</sup> N. H. Prov. Deeds, XXV., 292.

<sup>13</sup> N. H. Town Papers, IX., 762.

had it inserted in the Boston Evening Post of July 25, 1743, beseeching him to return to his sorrowing wife and children. She says, "I pray you to harken to what your pupil, Joshua Gilpatrick, hath below sent you." Joshua Gilpatrick's letter does not appear. See Amory's Family of John Sullivan for the letter in full. It must have brought him home immediately, for his son, James Sullivan, later governor of Massachusetts, was born April 22, 1744.

Oct. 20, 1744. Deed of Daniel Clements of Somersworth to Job Clements, of land bounded partly by land of Rev. James Pike of Somersworth, witnessed by Ebenezer Roberts and John Sullivan.<sup>14</sup>

July 22, 1746. The muster roll of Capt. Thomas Wallingford of Somersworth shows the name of "John Sullevant" among 101 others. He must have been a resident of Somersworth in order to have been enrolled in the militia. These were not volunteers, but all of military age residing in the parish.<sup>15</sup>

The evidence seems to be conclusive that schoolmaster John Sullivan lived in what is now Rollinsford, New Hampshire, from 1736 to 1747 and that consequently his sons, Benjamin, Daniel, John and James, were born there. The evidence is equally conclusive that he moved over into Berwick, Maine, about 1747-8, as the following citation shows:

Berwick, 14 April 1748. Then sold to Joseph Nock all my Right, title & Entrest, that I have to all my Loggs in Salmon fall River, or on the Land joyning to the Said River, or Lying by any of the mills on Said Stream, Mark'd with a girdle on the Side of the Logg, and an N on Each end of the Girdle, which Logs thus Mark'd the Said Joseph Nock may hall, Saw, Sell, Carry away or Convert to his own proper use or dispose of as he Sees proper, as his own absolute right and property. In witness whereof I have hereunto set my hand the Day and Date above written.

BENJAMIN NOCK.

The above is a true copy of an originall Paper in the Inferior Court office for the Province of New Hampshire in the case between Joseph Nock Plaintiff and Elisha Andross Defendant.

Att. H. WENTWORTH, Clerk.

The Deposition of John Sullivan who Testifieth & Saith that on or about the 7th Day of Sept. 1748 at the request of Joseph Nock of Berwick in the County of York he wrote the original Instrument of wich the above is a

<sup>14</sup> N. H. Prov. Deeds, XXIX., 334.

<sup>15</sup> Hist. Mem. of Ancient Dover, and N. H. Prov. Papers, IX., 760.

True Copy, he the Deponent having compared the original now in the clerks office of the Inferior Court of the Prov. of New Hampshire with the foregoing copy with which it agrees.

JOHN SULLIVAN.

Prov. of New Hampshire.

Portsmouth, Nov. 10th, 1748.

John Sullivan made oath to the truth of the foregoing Deposition by him subscribed, Joseph Nock the adverse party not living in the Province of New Hampshire was not Notified the Deponent living at Berwick in the county of York.

Before me JOSHUA PIERCE.<sup>16</sup>

Here we have positive proof that John Sullivan was living in Berwick in 1748.

The original paper, or instrument, in the handwriting of John Sullivan, appears in the bundle of court files, and as given here the spelling is made to conform to the original. Notice "Entrest" for interest, "hall" for haul, "Loggs," and the irregular use of capitals. Surely his English was not up to the present standard of schoolmasters and makes one distrust that he was a master of seven languages.

March 2, 1750. A bond was written and witnessed by John Sullivan, in York County, Maine.<sup>17</sup>

1751, 1752, 1754. Samuel Bracket of Berwick, Maine, sold various things to "John Solevent" and balanced accounts with him Oct. 10, 1754.—Id.

1753. "John Sullivan of Berwick" brought action in New Hampshire Court against Ebenezer Downs of Somersworth and recovered £35 s6, wages for his sons, Benjamin and Daniel. Benjamin had worked from July 29th to Aug. 16th, 1752, and Daniel had worked seven days at Mowing. The work was evidently done on Ebenezer Downs' farm in Somersworth, which was on the Indigo Hill road, within a mile of Great Falls, the present city of Somersworth, just across the river from where John Sullivan then lived in Berwick. His son Daniel was then only fourteen years old, pretty young to be hired out as a mower with a scythe.<sup>18</sup>

Jan. 23, 1753. The bounds of Samuel Lord's farm at Berwick were renewed, and forty acres were set off to John Sulli-

<sup>16</sup> Copied from the Court Files of the Province of N. H. No. 22099.

<sup>17</sup> See Amory's Family of John Sullivan.

<sup>18</sup> See N. H. Court Files, No. 21491.

van. Sullivan probably had been living there since 1748 or 1747, at least five years.<sup>19</sup>

April 8, 1754, John Sullivan signed a petition from North Berwick parish.

April 29, 1756. He witnessed the will of Peter Grant of Berwick.

Where was schoolmaster John Sullivan before he came to Somersworth to teach, in 1736? There is something in the above cited letter of his wife that may hint at an answer. She says Joshua Gilpatrick was a pupil of her husband, or had been a pupil. Where? No such surname appears in New Hampshire at that time, but there were plenty of Gilpatricks in Biddeford, Kennebunk and Wells, Maine, descendents of Thomas Gilpatrick, who settled in old Saco, now Biddeford, about the year 1720. The records of the first church in Biddeford say that Joshua Gilpatrick married Elizabeth Smith, March 1, 1750, and he witnessed the will of John Davis of Biddeford, May 9, 1752. It may be, then, that John Sullivan before settling in Somersworth taught school in Biddeford or vicinity. A search of the town records of Biddeford, Kennebunk, Wells and York, and of records at Alfred, Maine, might add something to what is known of schoolmaster John Sullivan.

In 1915 a bronze tablet was erected as a marker, by the John A. Logan Women's Relief Corps, No. 76, near the place where schoolmaster John Sullivan lived the remainder of his life in Berwick. The marker declares that his sons who served in the American Revolution, Daniel, John, James and Ebenezer, were born here. That is doubtless true of Ebenezer, born in 1753, but Daniel, John and James were born in Somersworth, in the vicinity of Rollinsford Junction, and it would have been more accurate to have said upon the marker, "on this farm were *reared*" his sons, etc. Seven cities claimed to be the birth-place of Homer. All cities and states are proud of their great sons. The writer of this, in his History of Durham, N. H., stated that General John Sullivan was probably born in Berwick. The consideration of the above evidence convinces him that the general and governor of New Hampshire, as well as James Sullivan, the governor of Massachusetts, was born on

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<sup>19</sup> Amory's Family of John Sullivan.

New Hampshire soil. I am a native of Maine and am sorry to part with the honor, but the stubborn facts compel me to acknowledge the error. This duty is made easier by the knowledge gained that my ancestors were near neighbors of the Sullivan family, that probably lived between Rollinsford Junction and the bridge at South Berwick. My great-grandfather may have been a pupil of the schoolmaster, John Sullivan.

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